

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

STEPHANIE GRABOWSKI,

Petitioner,

-against-

WARDEN MILLER,

Respondent.

24-CV-8907 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

Petitioner, who is currently incarcerated at the Rose M. Singer Center on Rikers Island, brings this petition for a writ of *habeas corpus* under 28 U.S.C. § 2254 *pro se*. For the following reasons, the Court dismisses the petition without prejudice.

Petitioner has previously submitted to this court a substantially similar petition, which is pending under docket number 24-CV-8888 (LTS). Because this new petition is substantially similar, no useful purpose would be served by the filing and litigation of this duplicate lawsuit. Therefore, this petition is dismissed without prejudice to Petitioner's pending case under docket number 24-CV-8888 (LTS).

CONCLUSOIN

The Court dismisses this petition for a writ of *habeas corpus* under 28 U.S.C. § 2254 without prejudice, as duplicative of the pending petition under docket number 24-CV-8888 (LTS).

Because the petition, at this time, makes no substantial showing of a denial of a constitutional right, a certificate of appealability will not issue. *See* 28 U.S.C. § 2253. The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good

faith and therefore *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

Dated: November 25, 2024
New York, New York

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
Chief United States District Judge