

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

PHILLIP DISTASIO,)	CASE NO. 1:08 CV 1220
)	
Petitioner,)	JUDGE PETER C. ECONOMUS
)	
v.)	
)	<u>MEMORANDUM OF OPINION</u>
STATE OF OHIO,)	<u>AND ORDER</u>
)	
Respondent.)	

On May 16, 2008, petitioner pro se Phillip DiStasio filed the above-captioned habeas corpus action under 28 U.S.C. § 2254. His amended petition seeks to challenge his convictions, pursuant to a guilty plea, on "74 total counts ranging from corruption with drugs, 1 count of kidnapping, gross sexual imposition, statutory rape and pandering (unsure of specific number of each charge)."

A federal district court may entertain a petition for a writ of habeas corpus by a person in state custody only on the ground that the custody violates the Constitution or laws of the United States. Furthermore, the petitioner must have exhausted all available state remedies. 28 U.S.C. § 2254.

DiStasio raises four grounds for relief. However, none of these grounds raises an issue cognizable in habeas corpus, as

there is no reasonable suggestion of a federal constitutional issue which might entitle him to release.

Accordingly, the petition is denied and this action is dismissed pursuant to Rule 4 of the Rules Governing Section 2254 Cases. Further, the court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith, and that there is no basis on which to issue a certificate of appealability. Fed.R.App.P. 22(b); 28 U.S.C. § 2253.

IT IS SO ORDERED.

S/Peter c. Economus - 7/8/08
PETER C. ECONOMUS
UNITED STATES DISTRICT JUDGE