

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

TELLY ALEXANDER HEALTH,

Case No. 2:18-cv-00239-SB

Petitioner,

ORDER

v.

TROY BOWSER,

Respondent.

MICHAEL H. SIMON, District Judge

Respondent moves the Court to dismiss Petitioner’s Habeas Corpus Petition (ECF No. 2) on the basis that he has not exhausted his available state remedies as to his claims of ineffective assistance of trial and appellate counsel. Petitioner does not oppose the Motion. Accordingly, this Court orders that Petitioner’s Habeas Corpus Petition (ECF No. 2) is DISMISSED, without prejudice.

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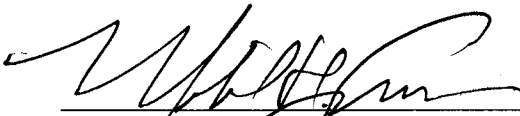
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This Court declines to issue a Certificate of Appealability because Petitioner has not made a substantial showing of the denial of a constitutional right. *See* 28 U.S.C. § 2253(c)(2).

IT IS SO ORDERED.

DATED this 26th day of March, 2018.



MICHAEL H. SIMON
United States District Judge