

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

SHERWIN PINNOCK,	)	
	)	
Petitioner,	)	
	)	
v.	)	Civil Action No. 09-997
	)	CHIEF JUDGE AMROSE
UNITED STATES OF AMERICA,	)	MAGISTRATE JUDGE BISSOON
	)	
Respondent.	)	

MEMORANDUM ORDER

AND NOW, this 31<sup>st</sup> day of August, 2009,

IT IS HEREBY ORDERED that Sherwin Pinnock's Petition for Writ of Habeas Corpus filed pursuant to 28 U.S.C. § 2241 is DISMISSED WITHOUT PREJUDICE. The instant Petition is premature in light of Pinnock's currently pending direct appeal from the imposition of sentence. See, Johnson v. United States, No. 07-4706, slip op. at 3-4 (3d Cir. Feb. 21, 2008) (Section 2241 habeas petition premature in light of petitioner's ability to raise claims on direct appeal and in Section 2255 petition).

s/Donetta Ambrose  
Donetta Ambrose  
Chief U.S. District Court Judge

cc:  
SHERWIN PINNOCK  
61466-054  
NEOCC  
2240 Hubbard Road  
Youngstown, OH 44505