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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

TIMOTHY L. THOMPSON (#143256),	)	
	)	
Petitioner,	)	
	)	
v.	)	**Case No. 3:16-cv-0195**
	)	
TAMMY FORD, WARDEN,	)	**Judge Campbell**
	)	
Respondent.	)	

ORDER

Timothy L. Thompson, a prisoner in state custody, filed a petition for the writ of habeas corpus under 28 U.S.C. § 2254, challenging his 2010 conviction and sentence in the Davidson County Criminal Court. The petition is before the Court for an initial review. Rule 4, R. Gov'g § 2254 Cases. Also pending is the petitioner's Application to Proceed *in Forma Pauperis* (ECF No. 2). Because it appears from the petitioner's application that he lacks sufficient funds to pay the filing fee, the application (ECF No. 2) is **GRANTED**.

However, for the reasons explained in the accompanying Memorandum Opinion, the petition filed in this case is **DENIED** and this matter is **DISMISSED** for failure to exhaust state-court remedies. This dismissal is **WITHOUT PREJUDICE** to the petitioner's ability to refile a habeas petition that satisfies the requirements of Rule 4 as well as 28 U.S.C. § 2254 and other applicable law after he has exhausted his state-court remedies.

Rule 11 of the Rules Governing § 2254 Cases requires that a district court issue or deny a Certificate of Appealability ("COA") when it enters a final order. Because the petitioner's claims in his present petition do not merit further review, the Court **DENIES** a COA.

The Clerk is **DIRECTED** to serve a copy of the petition and this Order via certified mail on the respondent and the Attorney General of Tennessee.

It is so **ORDERED**.

This is the final judgment for purposes of Rule 58 of the Federal Rules of Civil Procedure.

Todd Campbell

TODD CAMPBELL
United States District Judge

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