

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

<b>JAMES C. SULLIVAN,</b>	)	
<b>No. 454328,</b>	)	
	)	
<b>Petitioner,</b>	)	
	)	
<b>v.</b>	)	<b>No. 3:16-cv-02864</b>
	)	<b>Chief Judge Sharp</b>
<b>GRADY PERRY,</b>	)	
	)	
<b>Respondent.</b>	)	

**ORDER**

James C. Sullivan, an inmate of the Hardeman County Correctional Facility in Whiteville, Tennessee, filed a *pro se* petition for a writ of *habeas corpus* pursuant to 28 U.S.C. § 2254, challenging the legality of his confinement under a May 11, 2010 judgment entered against him by the Williamson County Criminal Court in Williamson County, Tennessee, for aggravated assault with a deadly weapon, vandalism, retaliation for past action, and reckless endangerment.<sup>1</sup> (Docket No. 21 at p. 1).

Presently pending before the court is the respondent's motion to dismiss Sullivan's petition for writ of *habeas corpus*. (Docket No. 20).

For the reasons explained more fully in the memorandum entered contemporaneously herewith, the respondent's motion to dismiss (Docket No. 20) is hereby **GRANTED** for failure to exhaust state court remedies. Accordingly, the petition is **DENIED**, and this action is hereby **DISMISSED WITHOUT PREJUDICE** to refile, if desired, once the petitioner has exhausted his state court remedies.

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<sup>1</sup>The petitioner already was serving a five-year sentence at the time of this 2010 conviction, which is not the subject of the instant petition. (Docket No. 21 at p. 1 n.1).

It is so **ORDERED**.

*Kevin H. Sharp*

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Kevin H. Sharp  
Chief United States District Judge