

TRAVIS WAYNE GOODSSELL,) **MEMORANDUM DECISION AND ORDER**
) **DENYING HABEAS PETITION**
)
 Petitioner,) Case No. 2:10-CV-366 TS
)
 v.) District Judge Ted Stewart
)
 STATE OF UTAH et al.,)
)
 Respondents.)

It remains clear that Petitioner prematurely challenges his imprisonment, considering he has yet to go to trial, let alone be convicted. Also, he does not suggest that he has petitioned for extraordinary relief in state court as another avenue of exhausting his state-court remedies. See, e.g., Utah R. Civ. P. 65B ("Where no other plain, speedy and adequate remedy is available, a person may petition the court for extraordinary relief on any of the grounds set forth in paragraph (b) (involving wrongful restraint on personal liberty) . . . or paragraph (d) (involving wrongful use of judicial authority [and] the failure to exercise such authority . . .).").

IT IS THEREFORE ORDERED that Petitioner's § 2254 petition is
DENIED under the exhaustion and abstention doctrines.

DATED this 24th day of September, 2010.

BY THE COURT:



TED STEWART
United States District Judge