

UNITED STATES DISTRICT COURT

DISTRICT OF CONNECTICUT

MICHAEL A. YOUNG,	:	
Petitioner,	:	
	:	
v.	:	CASE NO. 3:16-cv-1747 (AWT)
	:	
CAROL CHAPDELAINE,	:	
Respondent.	:	

RULING AND ORDER

The petitioner has filed this action pursuant to 28 U.S.C. § 2254 challenging his June 5, 2015 conviction for driving a motor vehicle with an elevated blood alcohol level in violation of Conn. Gen. Stat. § 14-227a(a)(2). The petitioner previously filed a habeas corpus action in this court challenging the same conviction. The present petition is a copy of the petition filed in the previous action with added references to the prior federal petition. The court dismissed the prior petition for failure to exhaust state court remedies before filing a federal habeas action. See Young v. Chapdelaine, No. 3:16cv6 (AWT) (D. Conn. Apr. 6, 2016). The Second Circuit dismissed the appeal by mandate issued September 9, 2016. See Young v. Chapdelaine, No. 16-1415 (2d Cir. Sept. 9, 2016).

As the petitioner fails to indicate in his petition that he has made any further efforts to exhaust his state court remedies, the petition is dismissed without prejudice for the

reasons stated in the prior ruling. See Young v. Chapdelaine, No. 3:16cv6 (AWT) (D. Conn. Apr. 6, 2016) (ECF No. 7, Ruling on Petition for Writ of Habeas Corpus). The petitioner may challenge this conviction in federal court only after he exhausts his state court remedies by properly presenting his claims to the Connecticut courts.

The petition for writ of habeas corpus is hereby **DISMISSED** for failure to exhaust state court remedies. As no jurist of reason would find it debatable that the petitioner failed to exhaust his state court remedies with regard to all grounds in the petition, a certificate of appealability will not issue. See Slack v. McDaniel, 529 U.S. 473, 484 (2000) (holding that, when the district court denied a habeas petition on procedural grounds, a certificate of appealability should issue if jurists of reason would find debatable the correctness of the district court's ruling).

The Clerk is directed to enter judgment and close this case.

It is so ordered.

Signed this 25th day of October, 2016 at Hartford,
Connecticut.

/s/AWT
Alvin W. Thompson
United States District Judge