

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

MAURICE L. MILES, JR.,

Petitioner,

v.

CASE NO. 17-3197-SAC

EMMALEE CONOVER,

Respondent.

MEMORANDUM AND ORDER

This matter is a petition for habeas corpus filed under 28 U.S.C. § 2254. On November 21, 2017, the Court directed petitioner to show cause why this matter should not be dismissed without prejudice to allow him to exhaust his claims for relief in the state courts. Petitioner has filed a motion to withdraw (Doc. #5). The Court has reviewed the motion and concludes that this matter may be dismissed without prejudice under Rule 41(a) of the Federal Rules of Civil Procedure.

IT IS, THEREFORE, BY THE COURT ORDERED petitioner's motion to withdraw (Doc. #5) is granted, and this matter is dismissed without prejudice.

IT IS SO ORDERED.

DATED: This 8th day of December, 2017, at Topeka, Kansas.

S/ Sam A. Crow
SAM A. CROW
U.S. Senior District Judge