

where a habeas petitioner suffers no present restraint from a conviction.”); *Carafas v. LaVallee*, 391 U.S. 234 (1968) (holding that that once the sentence imposed for a conviction has completely expired, the collateral consequences of that conviction are not themselves sufficient to render an individual “in custody” for the purposes of a habeas attack upon it). Such appears to be the case here.

4. Because the Court is raising *sua sponte* the issue of Petitioner’s custodial status, the Court will afford Petitioner a chance to argue for an exception to the “in custody” requirement. Particularly, Petitioner may submit to this Court any arguments, supported by evidence, as to why the Court should entertain his petition after his sentence has been served. Petitioner may also raise any other argument as appropriate with regard to Petitioner’s custodial status.

IT IS therefore on this 29th day of June 2016,

ORDERED that Petitioner shall, within thirty (30) days of the date of entry of this Order, show cause in writing, in the manner directed above, as to why the Petition should not be denied for failing to meet § 2254(a)’s “in custody” requirement; it is further

ORDERED that the Clerk of the Court shall serve a copy of this Order upon Plaintiff by regular mail.



Esther Salas
United States District Judge