

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

GREGORY SCOTT GOODYEAR,

Petitioner,

v.

Case No.: 2:20-cv-88-FtM-38MRM

MARK INCH,

Respondent.

\_\_\_\_\_ /

**OPINION AND ORDER**<sup>1</sup>

Before the Court is Petitioner Gregory Scott Goodyear's Petition for Writ of Habeas Corpus under [28 U.S.C. § 2254](#) ([Doc. 1](#)) filed in the Northern District of Florida on February 6, 2020. The Northern District transferred the case to this Court ([Doc. 2](#)) on February 7, 2020. The Court takes judicial notice of its files which reveal Petitioner filed a petition for writ of habeas corpus under [28 U.S.C. § 2254](#) on January 13, 2020, challenging his detention on the same grounds which remains pending at case no. 2:20-cv-29-FtM-JES-MRM.<sup>2</sup> Petitioner may not proceed in two separate actions on the same claim. The Court will dismiss this action as duplicative and Petitioner may proceed on his earlier filed action.

Accordingly, it is now

**ORDERED:**

---

<sup>1</sup> Disclaimer: Documents hyperlinked to CM/ECF are subject to PACER fees. By using hyperlinks, the Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide, nor does it have any agreements with them. The Court is also not responsible for a hyperlink's availability and functionality, and a failed hyperlink does not affect this Order.

<sup>2</sup> The Court has not yet served the petition in case no. 2:20-cv-29-FtM-JES-MRM because Petitioner has not paid the \$5.00 filing fee or provided proof of indigency as directed by the Court in its January 15, 2020, 2019 Order. (Doc. 9).

1. The case is **DISMISSED** as duplicative of case 2:20-cv-29-FtM-JES-MRM.
2. The Clerk of Court shall, enter judgment, terminate any pending motions as moot, and close this file.

**DONE** and **ORDERED** in Fort Myers, Florida this 12th day of February 2020.

  
**SHERI POLSTER CHAPPELL**  
**UNITED STATES DISTRICT JUDGE**

SA: FTMP-2  
Copies: All Parties of Record