UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

TINO A. NORFLEET,

      Plaintiff,

v.   Case No: 2:24-cv-295-JES-NPM

STATE OF FLORIDA,

      Defendant.

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OPINION AND ORDER

This matter comes before the Court on Tino Norfleet's handwritten document titled "Writ habeas corpus" (Doc. #1), which the Court construes as a complaint. Norfleet is a pretrial detainee, and he challenges aspects of an ongoing state criminal case. The Court must screen the complaint to determine if it is frivolous or malicious, fails to state a claim, or seeks monetary damages from a defendant who is immune from such relief. *See* 28 U.S.C. § 1915A.

Norfleet asserts conclusory claims that the state is violating his due-process and speedy-trial rights, and he seeks dismissal of the state criminal case currently pending against him. But federal courts are not intended as a "pre-trial motion forum for state prisoners." Braden v. 30th Judicial Circuit Court of Ky., 410 U.S. 484, 493 (1973). Further, principles of equity, comity, and federalism require the Court to abstain from

interfering in state criminal proceedings. See Younger v. Harris, 401 U.S. 37, 45 (1971). Norfleet provides no reason for this Court to overlook the abstention principle. Nor does he allege any facts that warrant application of any exception to the Younger doctrine.
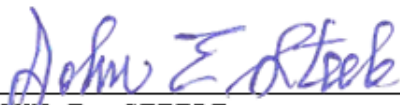
Norfleet's construed complaint is frivolous. If Norfleet is convicted, he may collaterally attack any resulting incarceration by filing a petition for habeas corpus after exhausting available state post-conviction remedies. In the meantime, the proper venue for objections to the state criminal case pending against Norfleet is the state criminal court.

Accordingly, it is hereby

ORDERED:

This action is **DISMISSED without prejudice**. The Clerk is **DIRECTED** to terminate any pending deadlines, enter judgment, and close this case.

DONE and ORDERED at Fort Myers, Florida, this ___10th___ day of April 2024.

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JOHN E. STEELE
SENIOR UNITED STATES DISTRICT JUDGE

SA: FTMP-1

Copies:
Plaintiff

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