## UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

	)	
MOUSEN YISAK ADEN,	)	
	)	
Petitioner,	)	
	)	
v.	)	Civil Action No. 23-0762 (UNA)
	)	
UNITED STATES OF AMERICA,	)	
	)	
Respondent.	)	
	)	

## MEMORANDUM OPINION

It appears that petitioner is detained at St. Elizabeth's Hospital pending criminal proceedings in the Superior Court of the District of Columbia. By filing a petition for a writ of habeas corpus, petitioner presumably demands his immediate release.

"[A] federal court may dismiss an action when there is a direct conflict between the exercise of federal and state jurisdiction and considerations of comity and federalism dictate that the federal court should defer to the state proceedings." *Hoai v. Sun Refining and Marketing Co., Inc.*, 866 F.2d 1515, 1517 (D.C. Cir. 1989) (citing *Younger v. Harris*, 401 U.S. 37, 43-45 (1971)). This is such an action. *See Miranda v. Gonzales*, 173 F. App'x 840, 841 (D.C. Cir.) (per curiam) ("It is well-settled . . . that a court will not act to restrain a criminal prosecution if the moving party has an adequate remedy at law and will not suffer irreparable injury if denied equitable relief.") (citation omitted), *cert. denied*, 549 U.S. 889 (2006); *see Reed v. Wainwright*, No. 10-cv-0807, 2010 WL 1980170, at \*1 (D.D.C. May 17, 2010) ("This Court not only lacks the authority to overturn a decision of a Superior Court judge, but also refrains

from interfering with ongoing Superior Court proceedings."); Smith v. Holder, No. 14-cv-131,

2014 WL 414292, at \*1 (D.D.C. Jan. 30, 2014), aff'd, 561 F. App'x 12 (D.C. Cir. June 16, 2014)

(per curiam) (noting appellant's failure to "show[] that the district court erred in dismissing his

challenge to pending District of Columbia criminal proceedings under the abstention doctrine of

Younger v. Harris").

Because petitioner remains in custody by order of the Superior Court, this Court declines

to act. See Lewis v. Senior Judges, 75 F. Supp. 3d 201, 203 (D.D.C. 2014). The Court will

grant petitioner's application to proceed in forma pauperis, deny the habeas petition without

prejudice, and dismiss this civil action without prejudice. An Order accompanies this

Memorandum Opinion.

/s/

TANYA S. CHUTKAN

DATE: April 12, 2023

12, 2023 United States District Judge

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