

ENTRY ORDER

SUPREME COURT DOCKET NO. 2006-020

FEBRUARY TERM, 2006

In re Paul Murphy

} Original Jurisdiction
}
}
} Bennington Superior Court
}
}
} DOCKET NO. 254-7-05 Bncv

In the above-entitled cause, the Clerk will enter:

Petitioner Paul Murphy has filed an original habeas corpus petition with the Court. Petitioner asserts that he is incarcerated on two convictions of escape, and requests immediate release. Petitioner indicates that he has filed a petition for post-conviction relief that remains pending in the superior court. The habeas petition fails to set forth reasonable grounds to believe that petitioner's imprisonment is unlawful, and fails to explain why the current proceedings in superior court are inadequate to provide relief. Accordingly, we discern no basis to grant relief. See 12 V.S.A. ' 3952 (person imprisoned may prosecute writ of habeas corpus to obtain relief if imprisonment is unlawful); Shuttle v. Patrissi, 158 Vt. 127, 129-31 (1992) (absent extraordinary circumstances, habeas petition is generally not a substitute for review through normal trial and appellate procedures).

The petition for habeas corpus is denied.

FOR THE COURT:

Paul L. Reiber, Chief Justice

John A. Dooley, Associate Justice

Denise R. Johnson, Associate Justice

Marilyn S. Skoglund, Associate Justice

Brian L. Burgess, Associate Justice