

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
CENTRAL DIVISION
LEXINGTON

BRIAN JERMAINE WASHINGTON,

Petitioner,

v.

JENNIFER SAAD, Warden,

Respondent.

No. 5:18-CV-566-JMH-HAI

RECOMMENDED DISPOSITION

*** **

On October 2, 2018, per the mailbox rule, *pro se* Petitioner Brian Jermaine Washington filed a Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody. D.E. 1. The matter was assigned to the undersigned to conduct a preliminary review. *See* Rules Governing Section 2254 Cases, Rule 4. The Court recognizes that Washington is proceeding *pro se*, without the assistance of an attorney, and thus construes his petition liberally. *See Erickson v. Pardus*, 551 U.S. 89, 94 (2007); *Castro v. United States*, 540 U.S. 375, 381-83 (2003); *Franklin v. Rose*, 765 F.2d 82, 85 (6th Cir. 1985).

The conviction that Washington asks the Court to review is Fayette Circuit Court Case number 12-CR-82. D.E. 1 at 1. In that case, he pleaded guilty to trafficking in a controlled substance (less than four grams of cocaine), first degree, first offense. *Id.* As indicated on the public E-Courts docket, Washington's judgment was entered December 7, 2012.¹ He was

¹ Washington indicates his date of judgment of conviction was December 6, 2012, which was the date of his sentencing hearing. D.E. 1 at 1.