

Circuit that the claims in the motion meet certain criteria.¹ *See* § 2255, ¶8. As Stapleton offers no indication that he has obtained certification from the court of appeals to file a second or successive § 2255 motion, I must dismiss his current § 2255 motion without prejudice.

Accordingly, it is **ORDERED** that the Motion to Vacate, Set Aside or Correct Sentence, pursuant to 28 U.S.C. § 2255, is **FILED** and **DISMISSED** without prejudice as successive, and the action is stricken from the active docket of the court.

ENTER: September 2, 2005

/s/ JAMES P. JONES
Chief United States District Judge

¹ Petitioner is hereby advised of the procedure for obtaining certification from the United States Court of Appeals for the Fourth Circuit to have this court review a successive §2255 motion. Petitioner must submit a copy of successive § 2255 motion to the court of appeals, along with a motion requesting a three-judge panel certification that the district court may review the successive § 2255 motion. *See* 28 U.S.C. § 2244. A form and instructions for filing this motion are available at the following address: Office of the Clerk, United States Court of Appeals for the Fourth Circuit, 900 E. Main St., Richmond, VA 23219.