

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

No. 17-30100

United States Court of Appeals
Fifth Circuit

FILED

March 2, 2018

Lyle W. Cayce
Clerk

WILLIE TRIPLETT, JR.,

Petitioner-Appellant

v.

DARREL VANNOY, Warden, Louisiana State Penitentiary,

Respondent-Appellee

Appeals from the United States District Court
for the Middle District of Louisiana
USDC No. 3:02-CV-770

Before DENNIS, SOUTHWICK, and HIGGINSON, Circuit Judges.

PER CURIAM:*

Willie Triplett, Jr., Louisiana prisoner # 100388, was convicted of aggravated rape and sentenced to life imprisonment. He moves for a certificate of appealability (COA) and for leave to proceed in forma pauperis (IFP) to challenge the district court's order that Triplett's motion for relief from judgment not be filed.

Triplett's unfiled motion raised a new 28 U.S.C. § 2254 claim and was a successive § 2254 application. *See Gonzalez v. Crosby*, 545 U.S. 524, 532–33

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

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(2005). Because Triplett did not have this court's permission to file a second or successive application, the district court did not have jurisdiction to consider it. *See* 28 U.S.C. § 2244(b)(3)(A).

To the extent that Triplett is required to obtain a COA, he has not shown that reasonable jurists could conclude that the district court abused its discretion in ordering that Triplett's motion for relief from judgment not be filed. *See Hernandez v. Thaler*, 630 F.3d 420, 428 (5th Cir. 2011). Accordingly, his request for a COA is DENIED. To the extent that he does not need a COA, the order of the district court is AFFIRMED. His motion for leave to proceed IFP on appeal is DENIED.