

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

JOSEPH KENNEDY,	)	
	)	
Petitioner,	)	
	)	
vs.	)	CIVIL ACTION NO. 2:12cv073-WHA
	)	
UNITED STATES OF AMERICA,	)	(WO)
	)	
Respondent.	)	

**ORDER**

This case is before the court on the Recommendation of the Magistrate Judge (Doc. #7), entered on July 5, 2012, the Objections (Doc. #8) filed by Petitioner on July 23, 2012, and a second Objection (Doc. #9), filed by the Petitioner on August 24, 2012.

After an independent evaluation and *de novo* review of this case, the court agrees with the Recommendation that this § 2255 motion should be denied for the reason that the Petitioner has failed to obtain the requisite order from the Eleventh Circuit Court of Appeals authorizing this court to consider a successive § 2255 motion. Therefore, the court finds the objections to be without merit, and they are hereby OVERRULED. The court ADOPTS the Recommendation of the Magistrate Judge, and it is hereby

ORDERED that the Petitioner’s § 2255 motion is DENIED, and this case is DISMISSED for failure to obtain the requisite order from the Eleventh Circuit Court of Appeals authorizing this court to consider a successive § 2255 motion.

DONE this 19th day of September, 2012.

/s/ W. Harold Albritton  
W. HAROLD ALBRITTON  
SENIOR UNITED STATES DISTRICT JUDGE