

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
EASTERN DIVISION

GABRIEL GONZALEZ
Reg. #30515-112

PETITIONER

v.

No. 2:17-cv-129-DPM

GENE BEASLEY, Warden

RESPONDENT

ORDER

On *de novo* review, the Court adopts the recommendation, *No* 7, and overrules Gonzalez's objections, *No* 10-12. FED. R. CIV. P. 72(b)(3). Gonzalez argues hard that his claims are about the execution of his sentence. But they go a layer deeper: Gonzalez can't get the relief he seeks without changes to his underlying conviction or sentence. The proper vehicle for his claims is a second or successive § 2255 petition. Gonzalez's § 2241 petition will therefore be dismissed without prejudice for lack of jurisdiction.

So Ordered.



D.P. Marshall Jr.
United States District Judge

24 October 2017