

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

MICHAEL D. JACKSON  
ADC #140871

PETITIONER

v.

No. 5:13-cv-343-DPM

DEXTER PAYNE, Director,  
Arkansas Division of Correction

RESPONDENT

ORDER

Motion, *Doc. 42*, denied. Jackson's motion for reconsideration is, in substance, one to alter or amend the Court's 22 January 2021 Judgment. It is therefore untimely. FED. R. CIV. P. 59(e). And in any event, nothing in Jackson's new paper changes the conclusion that his Rule 60 motion is a second or successive *habeas* petition. 28 U.S.C. § 2244(b)(2) & (3); *Gonzalez v. Crosby*. 545 U.S. 524, 528–32 (2005). Before Jackson can file it, the United States Court of Appeals for the Eighth Circuit must “determine that it presents a claim not previously raised that is sufficient to meet § 2244(b)(2)'s new-rule or actual-innocence provisions.” *Gonzalez*, 545 U.S. at 530. This Court lacks jurisdiction.

So Ordered.

*D.P. Marshall Jr.*

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D.P. Marshall Jr.  
United States District Judge

*15 April 2021*