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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CESAR PULIDO,

Petitioner,

v.

RAYMOND MADDEN, Warden,

Respondent.

Case No. EDCV 17-1949-AG (LAL)

**ORDER DISMISSING SECOND OR
SUCCESSIVE HABEAS CORPUS
PETITION**

Before the Court is Petitioner's second attempt to challenge his 2011 state convictions and sentence. The Court denied his first petition on the merits in December 2016. (Pulido v. Montgomery, EDCV 15-2414-AG (LAL), December 27, 2016 Order Accepting Report and Recommendation and Judgment.) The Court denied a certificate of appealability at that time, and it does not appear Petitioner proceeded to the Ninth Circuit court of appeal in any manner.

Absent authorization from the Ninth Circuit, Petitioner may not bring another habeas petition challenging his 2011 conviction and sentence. See 28 U.S.C. § 2244; see also Burton v. Stewart, 549 U.S. 147, 157 (2007) (holding district court lacks jurisdiction to consider the merits of a second or successive petition absent prior authorization from the circuit court).

Petitioner claims he filed a motion with the Ninth Circuit requesting permission to file a second or successive petition. (Petition at 7.) However, Petitioner does not provide a case number or a copy of any order from the Ninth Circuit granting him permission to file this

1 Petition. In addition, the Court checked the electronic records of the Ninth Circuit and could not
2 locate any filings by Petitioner. Because Petitioner has not shown he received the Ninth
3 Circuit's permission to file this Petition, the Petition must be dismissed.

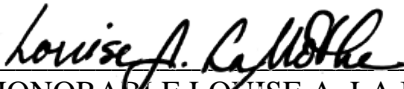
4 IT IS SO ORDERED.



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6 DATED: October 30, 2017

7 HONORABLE ANDREW J. GUILFORD
8 United States District Judge

9
10 Presented by:



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12 HONORABLE LOUISE A. LA MOTHE
13 United States Magistrate Judge