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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

VESTER L. PATTERSON,  
Petitioner,  
v.  
WILLIAM J. SULLIVAN,  
Respondent.

No. 1:18-cv-0038-DAD-JLT

ORDER DENYING MOTIONS TO ALTER  
OR AMEND JUDGMENT AND  
RECONSIDER ISSUING A CERTIFICATE  
OF APPEALABILITY

(Doc. Nos. 19, 20, 21)

This case was closed on June 22, 2018, when the undersigned entered an order adopting the findings and recommendations of the assigned magistrate judge, who had recommended the matter be dismissed for failure to state a cognizable claim for federal habeas relief and for failure to first exhaust his claims in state court. (See Doc. Nos. 10, 14.) On July 19, 2018, petitioner filed a motion to alter or amend the judgment and to seek reconsideration of the court’s decision not to issue a certificate of appealability (“COA”). (Doc. No. 19.) On July 23, 2018, petition filed a supplemental motion to alter or amend the judgment and reconsider issuing a COA. (Doc. No. 20.) Finally, on July 26, 2018, petitioner filed a separate motion seeking the issuance of a COA. (Doc. No. 21.) In his motion for reconsideration and related motions, petitioner raises no relevant new arguments or points of law that were not previously addressed by the court. Therefore, petitioner’s motions provide no persuasive grounds upon which to reconsider the decision to dismiss this case and decline to issue a COA.

1 In fact, these motions provide further information showing this court could not grant  
2 petitioner's requests, even if they were meritorious. Attached to petitioner's supplemental motion  
3 are documents from another habeas application previously filed by petitioner in this court. (See  
4 Doc. No. 20 at 10–16.) While this case was not initially dismissed as a successive petition, a  
5 review of the court's docket shows petitioner has in fact filed almost twenty additional habeas  
6 actions in addition to this one in both divisions of this court which both pre-date and post-date  
7 this petition. See, e.g., *Patterson v. Sullivan*, No. 2:18-cv-01270-CMK (E.D. Cal. May 18, 2018);  
8 *Patterson v. Sullivan*, No. 1:18-cv-00705-LJO-JDP (E.D. Cal. May 18, 2018); *Patterson v.*  
9 *Sullivan*, No. 1:18-cv-00593-LJO-SAB (E.D. Cal. April 27, 2018); *Patterson v. Sullivan*, No.  
10 2:18-cv-01031-MCE-CMK (E.D. Cal. Apr. 25, 2018); *Patterson v. Sullivan*, No. 1:18-cv-00361-  
11 DAD-EPG (E.D. Cal. Mar. 15, 2018); *Patterson v. Martinez*, No. 2:17-cv-00444-KJN (E.D. Cal.  
12 Dec. 20, 2016); *Patterson v. Martinez*, No. 1:16-cv-01215-LJO-SAB (E.D. Cal. Aug. 17, 2016);  
13 *Patterson v. Martinez*, No. 2:16-cv-00842-CKD (E.D. Cal. Apr. 22, 2016); *Patterson v. Martinez*,  
14 No. 2:16-cv-01618-GGH (E.D. Cal. Mar. 14, 2016); *Patterson v. Lacker*, No. 1:16-cv-00618-  
15 DAD-SAB (E.D. Cal. Nov. 18, 2015). As such, it is clear this petition is also a successive  
16 petition, over which this court has no jurisdiction unless the Ninth Circuit authorizes its filing.  
17 See 28 U.S.C. § 2244(b)(3)(A); *Burton v. Stewart*, 549 U.S. 147, 153 (2007); *Cooper v.*  
18 *Calderon*, 274 F.3d 1270, 174 (9th Cir. 2001). Because petitioner has not demonstrated that the  
19 Ninth Circuit has authorized this successive petition, the court would be without jurisdiction to  
20 address petitioner's motions, even if they had merit.

21 For the foregoing reasons, petitioner's motions to alter or amend the judgment and  
22 reconsider the issuing of a COA, filed July 19, 2018, July 23, 2018, and July 26, 2018 (Doc. Nos.  
23 19, 20, 21), are denied.

24 IT IS SO ORDERED.

25 Dated: August 24, 2018

26   
UNITED STATES DISTRICT JUDGE