



1 In this case, Maes has failed to show a manifest injustice in the denial of his  
2 original petition. Although Maes alleges various errors of counsel, none of these errors  
3 relate to the grounds for relief that were before this Court in Maes's original petition.  
4 Therefore, the Court **DENIES** the motion because there is no reason to relieve Maes  
5 from the judgment for Respondent on the issues that were presented to the Court.

6 If Maes requests relief based on additional grounds, he may file a second or  
7 successive petition for a writ of habeas corpus with the Ninth Circuit Court of Appeals.  
8 *See* Ninth Circuit Local Rule 22-3 (application for authorization to file second or  
9 successive petition). The Court, however, declines to *sua sponte* convert this motion into  
10 an application for a second or successive petition.

11 Dated this 19th day of November, 2013.

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BENJAMIN H. SETTLE  
15 United States District Judge  
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