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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL LOUIS OVERTON,

Petitioner,

No. 2:08-cv-1128 MCE JFM (HC)

vs.

WARDEN, CALIFORNIA MEDICAL  
FACILITY,

Respondent.

ORDER

\_\_\_\_\_ /  
Petitioner is a state prisoner proceeding pro se with an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. By this action, petitioner challenged a 2008 decision of the Board of Parole Hearings (Board) to deny him parole. On March 12, 2009, this action was dismissed for failure to exhaust state remedies. On September 28, 2011, petitioner filed a motion styled as a motion to reopen this action. The motion is not accompanied by a new petition for writ of habeas corpus. Petitioner is informed that any cognizable challenge to the 2008 Board decision must be brought, if at all, in a new action.<sup>1</sup> Petitioner's motion will be denied and no orders will issue in response to future filings in this action.

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<sup>1</sup> This court makes no findings concerning whether a federal court would still have jurisdiction over such a challenge or whether it would be timely or otherwise cognizable.

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In accordance with the above, IT IS HEREBY ORDERED that petitioner's  
September 28, 2011 motion is denied.  
DATED: November 10, 2011.

  
UNITED STATES MAGISTRATE JUDGE

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