

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
GAINESVILLE DIVISION

AUSTIN CAREY JONES,

Petitioner,

v.

CASE NO. 1:10-cv-00135-MP-AK

STATE OF FLORIDA,

Respondent.

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ORDER

This matter is before the Court on Doc. 5, an amended petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, and Doc. 6, a motion for leave to proceed as a pauper. Petitioner challenges his 2005 Alachua County convictions for sexual battery and unlawful sexual activity with certain minors. Petitioner concedes that he was previously denied relief under § 2254 with respect to the same convictions. *See* Doc. 5 at 3; *Jones v. McDonough*, Case No. 1:07-cv-173-MP-AK, Docs. 22, 32, 40 (N.D. Fla.) (orders denying petition and COA, and Eleventh Circuit order denying COA).

Pursuant to 28 U.S.C. § 2244(b)(3)(A), this Court cannot consider a second or successive habeas petition until a panel of the Eleventh Circuit has authorized its filing. There is no indication that Petitioner has satisfied the requirements for filing this case, and thus, it is not

properly before this Court for consideration. Accordingly, it is

ORDERED AND ADJUDGED:

1. That the motion to proceed as a pauper, Doc. 6, is **DENIED**
2. That this case is **DISMISSED**, and the Clerk is directed to close the file.

DONE AND ORDERED this 10th day of August, 2010

s/Maurice M. Paul

Maurice M. Paul, Senior District Judge