

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF FLORIDA  
TALLAHASSEE DIVISION**

TIFFANY ARNOLD,

Petitioner,

v.

CASE NO. 4:17cv366-RH/EMT

WARDEN COIT,

Respondent.

\_\_\_\_\_ /

**ORDER DISMISSING THE PETITION**

A jury in the Eastern District of Kentucky convicted the defendant Tiffany Arnold of methamphetamine offenses and found that death resulted. The court sentenced Ms. Arnold to life in prison. She appealed. The United States Court of Appeals for the Sixth Circuit affirmed. Ms. Arnold filed a motion in the Eastern District of Kentucky for relief under 28 U.S.C. § 2255. The court denied the motion. The Sixth Circuit denied a certificate of appealability.

Ms. Arnold now has filed in this court a petition for habeas corpus under 28 U.S.C. § 2241. The petition is before the court on the magistrate judge's report and recommendation, ECF No. 19, and the objections, ECF No. 20. I have reviewed de novo the issues raised by the objections.

This order accepts the report and recommendation, adopts it as the court's opinion, and dismisses the § 2241 petition, with this additional note.

Ms. Arnold asserts she is entitled to relief under an intervening Supreme Court decision, *Burrage v. United States*, 134 S. Ct. 881 (2014). Relief of this kind would be available, if at all, only under § 2255. A defendant can pursue a second or successive § 2255 motion only in the court of conviction—in this case, the Eastern District of Kentucky. And a defendant can pursue a second or successive § 2255 motion only if authorized by the appropriate court of appeals—in this case, the United States Court of Appeals for the Sixth Circuit. The Sixth Circuit has not authorized Ms. Arnold to file a second or successive § 2255 motion. This court lacks jurisdiction to consider Ms. Arnold's petition.

For these reasons,

IT IS ORDERED:

The report and recommendation is accepted. The clerk must enter judgment stating, "The petition is dismissed for lack of jurisdiction." The clerk must close the file.

SO ORDERED on July 2, 2018.

s/Robert L. Hinkle  
United States District Judge