

United States District Court  
for the  
Southern District of Florida

Steven Frediani, Petitioner,	)	
	)	
v.	)	Case No. 17-60205-Civ-Scola
	)	
Anthony Stevens, Respondent.	)	

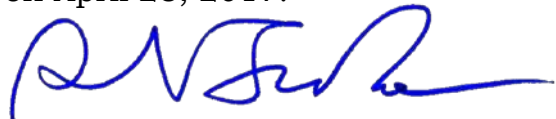
**Order Adopting Magistrate Judge's Report And Recommendation**

This case was referred to United States Magistrate Judge Patrick A. White, consistent with Administrative Order 2003-19 of this Court, for a ruling on all pre-trial, nondispositive matters and for a Report and Recommendation on any dispositive matters. On March 6, 2017, Judge White issued a Report, recommending that Petitioner Steven Frediani's petition for a writ of habeas corpus be denied as either an improper § 2241 petition or a successive § 2255 petition. (Report of Magistrate, ECF No. 11.) Frediani has not filed any objections to the report and the time to do so has passed.

The Court has considered Judge White's report, the record, and the relevant legal authorities. As determined by Judge White, while Frediani labeled this action as a petition for writ of habeas corpus under 28 U.S.C. § 2241, it is, in legal effect, actually a successive § 2255 motion. Because Frediani has not obtained permission from the Eleventh Circuit Court of Appeals to file a successive § 2255 motion, the Court is without jurisdiction to consider his petition.

The Court finds Judge White's report and recommendation cogent and compelling. The Court **affirms and adopts** Judge White's report and recommendation (**ECF No. 11**). The Court **dismisses** the petition for writ of habeas corpus (ECF No. 1). The Court does not issue a certificate of appealability. Finally, the Court directs the Clerk to **close** this case.

**Done and Ordered** at Miami, Florida, on April 28, 2017.




---

Robert N. Scola, Jr.  
United States District Judge