

FILED
U.S. DISTRICT COURT
SAVANNAH, GA.

IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

2013 OCT 30 AM 10:53

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~~SS. DIST. OF GA.~~

ELLIS EVANS,)	
)	
Petitioner,)	
)	
v.)	CASE NOS. CV413-203
)	CR403-093
UNITED STATES OF AMERICA,)	
)	
Respondent.)	
)	


O R D E R

Before the Court is the Magistrate Judge's Report and Recommendation (Doc. 3), to which objections have been filed (Doc. 6). After a careful de novo review of the record, the Court concludes that Petitioner's objections are without merit. Accordingly, the report and recommendation is **ADOPTED** as the Court's opinion in this case, and Petitioner's 28 U.S.C. § 2255 Petition is **DISMISSED**. The Clerk of Court is **DIRECTED** to close this case.

In his objections, Petitioner offers no cogent argument that this Court possesses the power to reach the merits of his successive habeas petition. For this Court to have jurisdiction to entertain a successive habeas petition, the petitioner must first obtain permission from the Eleventh Circuit Court of Appeals by filing an

"Application for Leave to File a Second or Successive Habeas Corpus Petition," using the form provided by the Eleventh Circuit Clerk of Court. Absent certification from the Eleventh Circuit Court of Appeals pursuant to Eleventh Circuit Rule 22-3(a), this Court is without jurisdiction to entertain the merits of any successive petition.

SO ORDERED this 30th day of October 2013.



WILLIAM T. MOORE, JR.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA