

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

FILED
U.S. DISTRICT COURT
AUGUSTA DIV.

2015 DEC 30 AM 11:24
CLERK: *J. Hume*
SO. DIST. OF GA.

FRANKLIN L. WILLIAMS,

Petitioner,

v.

WILLIAM BECHTOLD, Warden,

Respondent.

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CV 514-007

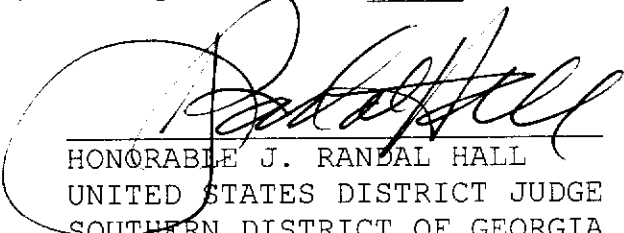
O R D E R

Presently before the Court is Petitioner Franklin L. Williams's motion to stay. (Doc. 45.) This motion is one of many Mr. Williams has filed in this Court. On January 23, 2014, Mr. Williams filed his petition for writ of habeas corpus and a motion for leave to proceed *in forma pauperis* ("IFP"). (Docs. 1 & 2.) The United States Magistrate Judge denied the motion to proceed IFP (doc. 3) on April 21, 2014, and this Court dismissed Mr. Williams's § 2241 petition on August 12, 2014 (doc. 18). This Court then denied Mr. Williams's motion to reopen the case (docs. 22 & 23), motion for reconsideration (docs. 27 & 28), and motion to set aside judgment (docs. 29 & 32). Mr. Williams appealed each of these Orders. (Docs. 24, 30, & 33.) While on appeal, the Eleventh Circuit denied Mr. Williams's motion to appeal IFP this Court's rulings on his motion to reopen and his motion for reconsideration. (Doc. 36.) Mr. Williams then asked

this Court for permission to appeal the same rulings IFP. (Doc. 37.) Because he gave no reason for the Court to do so, and because the Eleventh Circuit had already denied his request, the Court denied his motion. (Doc. 38.) The Eleventh Circuit subsequently denied Mr. Williams's motion to appeal IFP this Court's ruling on his motion to set aside judgment and dismissed his case for failure to prosecute. (Docs. 41, 42, & 43.)

Although his current motion is not entirely clear on the relief he seeks, it appears that Mr. Williams is now asking the Court to "stay" the Eleventh Circuit's dismissal of his appeal and its denial of his motion to appeal IFP. Mr. Williams does not, however, provide a compelling reason why the Court should make such a ruling. And notably, Mr. Williams does not provide any authority supporting a district court's ability to "stay" or overrule a ruling of the Eleventh Circuit, and the Court is reluctant to intervene in matters already determined in the Eleventh Circuit. Accordingly, Mr. Williams's motion (doc. 45) is **DENIED**.

ORDER ENTERED at Augusta, Georgia this 30th day of December, 2015.



HONORABLE J. RANDAL HALL
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF GEORGIA