

**E-FILED**Wednesday, 06 March, 2013 08:46:26 AM  
Clerk, U.S. District Court, ILCD

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF ILLINOIS  
ROCK ISLAND DIVISION**

MARCELO SANDOVAL,	)	
	)	
Petitioner,	)	
	)	
v.	)	Case No. 13-cv-4014
	)	
UNITED STATES OF AMERICA,	)	
	)	
Respondent.	)	

**ORDER & OPINION**

Petitioner filed a Motion to Vacate, Set Aside, or Correct Sentence for criminal case 99-cr-40019 pursuant to 28 U.S.C. § 2255 on February 15, 2013. (Doc. 1). Petitioner, however, has previously filed a § 2255 motion with this Court based on the same conviction. (02-cv-4100, Doc. 1). Pursuant to § 2255(h), the Court of Appeals must certify a second or successive motion before it may come before this Court for review. Thus, the Court dismisses the present motion as an unauthorized successive motion under § 2255, over which this Court lacks subject matter jurisdiction.

IT IS THEREFORE ORDERED that Petitioner's Motion under 28 U.S.C. § 2255 (Doc. 1) is DISMISSED FOR LACK OF JURISDICTION.

CASE TERMINATED.

Entered this 5th day of March, 2013.

s/ Joe B. McDade  
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JOE BILLY McDADE  
United States Senior District Judge