

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

RICHARD D. WROLLEN,

Petitioner,

v.

UNITED STATES OF AMERICA,

Defendant.

Case No. 12-cv-780-JPG

MEMORANDUM AND ORDER

This matter comes before the Court on petitioner Richard D. Wrolen's motion to vacate, set aside or correct his sentence pursuant to 28 U.S.C. § 2255 (Doc. 1). It has come to the Court's attention that this is not Wrolen's first § 2255 motion. He filed his first motion in January 2009, and the Court denied it. *See* No. 09-cv-51-JPG. In order for the Court to consider a successive petition, the Seventh Circuit Court of Appeals must certify the successive petition pursuant to 28 U.S.C. § 2255(h). *Nunez v. United States*, 96 F.3d 990, 991 (7th Cir. 1996). It has not done so. Therefore, the Court does not have jurisdiction to entertain the pending § 2255 motion.

Accordingly, the Court hereby **DISMISSES** this action **for lack of jurisdiction** and **DIRECTS** the Clerk of Court to enter judgment accordingly.

IT IS SO ORDERED.

DATED: July 23, 2012

s/J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE