

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION**

UNITED STATES OF AMERICA)
)
 Plaintiff,)
)
 v.) CAUSE NO.: 1:13-CR-4-TLS
) (1:17-CV-495)
 JULIUS LAWSON,)
)
 Defendant.)

OPINION AND ORDER

The Defendant, Julius Lawson, is serving a sentence for his role in attempting to rob a person having custody of mail matter, money, or property of the United States, 18 U.S.C. § 2114(a), using a firearm during and in relation to a crime of violence, 18 U.S.C. § 924(c), and interfering with the performance of duties of an employee of the United States, 18 U.S.C. § 111(a)(1). This matter is before the Court on the Defendant's Motion to Set Aside and Vacate Judgment of Conviction Under 18 U.S.C. § 2255 [ECF No. 161], filed on December 5, 2017.

The Defendant’s Motion is successive, the Court having previously denied a Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody [ECF No. 135], in an Opinion and Order [ECF No. 146] dated February 27, 2017. Prisoners are barred from filing second or successive habeas petitions unless they obtain certification to do so from the court of appeals. *See* 28 U.S.C. § 2255(h) (providing that a “second or successive motion must be certified as provided in section 2244 by a panel of the appropriate court of appeals”); *Suggs v. United States*, 705 F.3d 279, 282 (7th Cir. 2013) (“Without authorization from the court of appeals, the district court has no jurisdiction to hear the petition.”) (citing *Burton v. Stewart*, 549 U.S. 147, 152–53, (2007))); *United States v.*

Carraway, 478 F.3d 845, 849 (7th Cir. 2007) (holding that unless the defendant “seeks and obtains permission from the court of appeals to file [a second or successive] motion, the district court is without jurisdiction to entertain his request”).

CONCLUSION

Because the Defendant has not obtained permission from the Court of Appeals to file a second habeas motion, the Court DISMISSES FOR LACK OF JURISDICTION the Defendant’s Motion [ECF No. 161].

SO ORDERED on December 7, 2017.

s/ Theresa L. Springmann
CHIEF JUDGE THERESA L. SPRINGMANN
UNITED STATES DISTRICT COURT