

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF INDIANA  
SOUTH BEND DIVISION

GREGORY KONRATH, )  
 )  
Petitioner, )  
 )  
vs. ) CAUSE NO. 3:17-CV-017  
 )  
SUPERINTENDENT, )  
 )  
Respondent. )

**OPINION AND ORDER**

This matter is before the Court on the Petition under 28 U.S.C. Paragraph 2254 for Writ of Habeas Corpus filed by Gregory Konrath, a pro se prisoner, on January 3, 2017. For the reasons set forth below, this case is **DISMISSED** for want of jurisdiction.

**DISCUSSION**

Gregory Konrath, a pro se prisoner, filed a habeas corpus petition challenging the prison disciplinary hearing (WCC 16-08-144) where a disciplinary hearing officer (DHO) at the Westville Correctional Facility found him guilty of Violating State Law in violation of A-100. This is not the first time that Konrath has brought a habeas corpus petition challenging that hearing. In *Konrath v. Superintendent*, 3:16-CV-809 (N.D. Ind. filed November 25, 2016), he challenged this same proceeding. In that case, the court dismissed the petition pursuant to Habeas Corpus Rule 4 because the ground presented was meritless.

As such, this is an unauthorized successive petition over which this court has no jurisdiction. See 28 U.S.C. § 2244(b)(3)(A). "A district court must dismiss a second or successive petition, without awaiting any response from the government, unless the court of appeals has given approval for its filing." *Nunez v. United States*, 96 F.3d 990, 991 (7th Cir. 1996) (emphasis in original). Here, Konrath has not obtained authorization from the Seventh Circuit to file a successive petition.

CONCLUSION

For the reasons set forth above, this case is **DISMISSED** for want of jurisdiction.

**DATED: January 9, 2017**

**/s/Rudy Lozano, Judge  
United States District Court**