

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

GREGORY KONRATH,)
)
 Petitioner,) CAUSE NO. 3:17-CV-49 RL
)
 vs.)
)
 SUPERINTENDENT,)
)
 Respondent.)

OPINION AND ORDER

This matter is before the Court on a habeas corpus petition filed by Gregory Konrath, a pro se prisoner, in the United States District Court for the Southern District of Indiana on January 10, 2017, which was transferred here. 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. He again challenged it in *Konrath v. Superintendent*, 3:17-CV-17 (N.D. Ind. filed January 3, 2017), where the court dismissed the petition as an unauthorized successive petition.

As such, this is another 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 still 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 19, 2017

/s/RUDY LOZANO, Judge
United States District Court