

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA**

ERIC BRIDGES (#399957)

CIVIL ACTION

VERSUS

DARREL VANNOY, ET AL.

NO. 17-53-JWD-RLB

ORDER

This matter comes before the Court on the plaintiff's Petition for Writ of Habeas Corpus (R. Doc. 1). On or about January 23, 2017, the plaintiff filed a 28 U.S.C. § 2254 application herein challenging his conviction for armed robbery, entered in the Parish of St. Tammany in 2008.

The petitioner has previously filed a petition for writ of habeas corpus in the Eastern District of Louisiana regarding the same conviction. *See Bridges v. N. Burl Cain, et al.*, 12-cv-2684 (E.D. La.). 28 U.S.C. § 2244(b)(1) and (2) authorize dismissal of "second and successive" habeas corpus petitions, and § 2244(b)(3) directs a petitioner filing a "second and successive" habeas to obtain authorization from the appropriate Court of Appeals before filing the petition in District Court.

The instant Petition is another attempt to collaterally attack the petitioner's state court conviction, and the petitioner's claims are clearly successive. As the petitioner has not yet received permission from the Court of Appeals to file this successive petition in the District Court as required by statute, this Court lacks jurisdiction to consider his claims. Accordingly,

IT IS ORDERED that the Petition (R. Doc. 1) be deemed successive, and that it be **DISMISSED** for lack of jurisdiction because petitioner did not obtain permission from the United States Court of Appeals for the Fifth Circuit prior to filing.

IT IS FURTHER ORDERED that the plaintiff's Motion to Proceed In *Forma Pauperis*
(R. Doc. 2) is **DENIED AS MOOT**.

Signed in Baton Rouge, Louisiana, on July 31, 2017.



JUDGE JOHN W. deGRAVELLES
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA