

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION**

JAMES R. LANGENDORFER

CIVIL ACTION NO. 10-556-P

VERSUS

JUDGE HICKS

WARDEN JERRY GOODWIN

MAGISTRATE JUDGE HORNSBY

MEMORANDUM ORDER

Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner has previously filed an application for writ of habeas corpus attacking the convictions challenged herein. The previous application was denied on the merits on November 16, 1994. See Langendorfer v. Warden, 90-cv-1143.

Before petitioner can proceed with the instant application, he must move in the United States Court of Appeals for the Fifth Circuit for an order authorizing the district court to consider the application. 28 U.S.C. §2244(b)(3).

Accordingly;

IT IS HEREBY ORDERED that this action is stayed for a period of sixty (60) days. Petitioner’s failure to obtain authorization within that time from the United States Court of Appeals for the Fifth Circuit to proceed with this action will result in this action being stricken.

THUS DONE AND SIGNED, in chambers, at Shreveport, Louisiana, on this the 6th day of October, 2010.



MARK L. HORNSBY
UNITED STATES MAGISTRATE JUDGE
