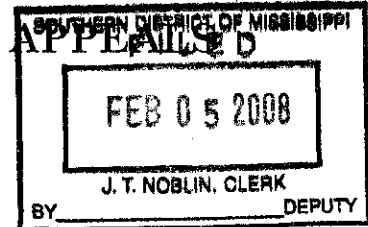


IN THE UNITED STATES COURT OF
FOR THE FIFTH CIRCUIT

No. 07-60967

IN RE: RANDY DALE JACKSON

Movant



U.S. COURT OF APPEALS

FILED

JAN 29 2008

CHARLES R. FULBRUGE III
CLERK

Motion for an order authorizing
the United States District Court for the Southern
District of Mississippi to consider
a successive 28 U.S.C. § 2254 application

Before KING, DeMOSS, and SOUTHWICK, Circuit Judges.

PER CURIAM:

Randy Dale Jackson, Mississippi prisoner # R8899, moves for leave to file a successive 28 U.S.C. § 2254 application challenging his life sentence and conviction of murder. If granted leave to file a successive § 2254 application, Jackson would argue that the magistrate judge who recommended dismissing his initial § 2254 application had a bias in favor of the trial judge, which affected the outcome of Jackson's initial habeas proceeding.

Jackson has failed to show that his claims rely on a new rule of constitutional law made retroactive to cases on collateral review by the Supreme Court, or that "the factual predicate for the claim could not have been discovered previously through the exercise of due diligence" and such facts "would be sufficient to establish by clear and convincing evidence that, but for constitutional error, no reasonable factfinder would have found the applicant guilty of the underlying offense." 28 U.S.C. § 2244(b)(2). He has therefore failed

to make the prima facie showing required for filing a successive § 2254 application. See § 2244(b)(3)(C).

IT IS ORDERED that the motion for authorization to file a successive § 2254 application is DENIED.

A true copy
Attest:

Clerk, U. S. Court of Appeals, Fifth Circuit

By 

Deputy

New Orleans, Louisiana

JAN 29 2008