

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

BOBBY EARL WILSON, JR.

PLAINTIFF

VS.

CIVIL ACTION NO. 5:07-cv-165(DCB)(MTP)

CHRISTOPHER B. EPPS, ET AL.

DEFENDANTS

ORDER

This cause is before the Court on the plaintiff Bobby Earl Wilson, Jr.'s motion for records and transcript (**docket entry 112**). Having carefully considered the motion and the record in this case, the Court finds as follows:

The plaintiff filed his petition for writ of habeas corpus on August 30, 2007, pursuant to 28 U.S.C. § 2254. On July 26, 2010, the plaintiff's action was dismissed with prejudice in a final judgment. Wilson appealed from the final judgment, and the Fifth Circuit denied him a certificate of appealability on April 4, 2011. The plaintiff now seeks a copy of the transcript from the Circuit Court of Warren County Mississippi, the court of the underlying conviction, as well as copies of his § 2254 petition and all court opinions and orders, so that he may file a successive petition with the Fifth Circuit. On August 27, 2013, the Fifth Circuit denied the plaintiff authorization to file a successive habeas corpus petition. The present motion is therefore moot.

Accordingly,

IT IS HEREBY ORDERED that the plaintiff Bobby Earl Wilson,

Jr.'s motion for records and transcript (**docket entry 112**) is DENIED AS MOOT.

SO ORDERED, this the 13th day of December, 2013.

/s/ David Bramlette
UNITED STATES DISTRICT JUDGE