

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

KENNETH G. CHARRON,)	
)	
Petitioner,)	
)	
v.)	No. 4:10CV1487 HEA
)	
DOUGLAS J. PRUDDEN,)	
)	
Respondent.)	

OPINION, MEMORANDUM AND ORDER

This matter is before the Court on petitioner's successive petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. The petition will be summarily dismissed.

Petitioner was sentenced to life plus sixty years' imprisonment on February 21, 1986. He sought state and federal habeas relief, which was denied. See Charron v. Armontrout, 4:90CV2185 GFG (E.D. Mo.).

In the instant petition, petitioner claims that under the sentencing statutes as they existed in 1986, he should now be eligible for conditional release. Petitioner says that the statutes were modified in 1990, and he is no longer eligible for release. Petitioner believes this violates the Ex Post Facto Clause, and that he should be released from confinement.

Petitioner must obtain leave from the United States Court of Appeals for the Eighth Circuit before he can bring new habeas claims in this Court. 28 U.S.C.

§ 2244(b)(3)(A). Petitioner has not been granted such leave. As a result, the petition shall be dismissed without further proceedings.

Accordingly,

IT IS HEREBY ORDERED that petitioner's petition for writ of habeas corpus is **DISMISSED**.

IT IS FURTHER ORDERED that petitioner's motion to proceed in forma pauperis [Doc. #2] is **GRANTED**.

IT IS FURTHER ORDERED that all pending motions are **DENIED**.

An Order of Dismissal will be filed with this Memorandum and Order.

Dated this 17th day of August, 2010.



HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE