

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

JAY REVELS,

Petitioner,

v.

JEFF NORMAN,

Respondent,

No. 4:12-CV-1903 JMB

MEMORANDUM AND ORDER

This matter is before the Court on petitioner's second motion for relief from judgment. The motion is denied.

Petitioner rehashes the same arguments he made in his first motion for relief from judgment. Primarily, he seeks *de novo* review of the Court's judgment by a district judge. The law, however, does not allow for such review in this case because both he and respondent expressly consented to the jurisdiction of the undersigned pursuant to 28 U.S.C. § 636(c) and Rule 73 of the Federal Rules of Civil Procedure. Doc. No. 19. Under § 636(c)(3), therefore, petitioner may only seek review of this Court's decisions in the Court of Appeals.

Again, petitioner may not bring his claim regarding the indictment in this Court unless he is given permission by the Court of Appeals to bring a successive petition for writ of habeas corpus. *See* 28 U.S.C. § 2244(b)(3)(A); *Gonzalez v. Crosby*, 545 U.S. 524, 530 (2005). Therefore, the motion is denied with prejudice.

Finally, petitioner has not met the requirements for issuing a certificate of appealability.

Accordingly,

IT IS HEREBY ORDERED that petitioner's second motion for relief from judgment [ECF No. 25] is **DENIED with prejudice**.

IT IS FURTHER ORDERED that the Court will not issue a certificate of appealability.

/s/ **John M. Bodenhausen**

JOHN M. BODENHAUSEN
UNITED STATES MAGISTRATE JUDGE

Dated this 26th day of January, 2017