

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

KENNETH BELL,)	
)	
Petitioner,)	
)	
v.)	No. 4:16CV440 RWS
)	
CINDY GRIFFITH,)	
)	
Respondent.)	

MEMORANDUM AND ORDER

This matter is before the Court on petitioner’s motion to alter or amend the judgment in this action “and to correct clerical mistake.” After reviewing petitioner’s motion in its entirety, his motion will be denied.


Petitioner brought the present action seeking relief from his 1993 conviction for first-degree murder and the resulting sentence of life without parole for that offense. Petitioner challenged the same judgment of conviction and sentence in a prior habeas action in this Court in Bell v. Kemna, 4:97CV324 DJS (TIA) (E.D.Mo.), in 1997. Pursuant to 28 U.S.C. § 2244, this Court has no choice but to dismiss this action until such time as the Eighth Circuit Court of Appeals grants petitioner certification to bring a second or successive habeas corpus in this Court. As such, petitioner’s request to alter or amend the judgment will be denied.

Accordingly,

IT IS HEREBY ORDERED that petitioner’s motion to alter or amend judgment document number [7] is **DENIED**.

IT IS FURTHER ORDERED that any application for certificate of appealability shall be denied.

Dated this 20th day of May, 2016.



RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE