

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

ANTHONY JOHNIGAN,	)	
	)	
Movant,	)	
	)	
vs.	)	Case No. 16-00693-CV-W-FJG
	)	Crim. No. 94-00024-01-CR-W-FJG
UNITED STATES OF AMERICA,	)	
	)	
Respondent.	)	

**ORDER**

Pending in this matter are (1) movant's second or successive motion to correct sentence under 28 U.S.C. § 2255; (2) movant's Motion to Stay and Hold Habeas Corpus Petition in Abeyance Pending Certification to Proceed from Eighth Circuit (Doc. No. 2); (3) the Government's Motion to Dismiss Unauthorized Successive § 2255 Motion (Doc. No. 4); and (4) Movant's Motion to Dismiss Case (Doc. No. 5).

Movant notes that he sought permission of the Eighth Circuit to pursue a second 2255 motion in 2016. That permission was denied by the Eighth Circuit on November 6, 2017. Therefore, as noted by movant, this Court lacks jurisdiction to hear movant's motion to vacate, and it must be dismissed.

Accordingly, movant's motion to dismiss (Doc. No. 5) is **GRANTED**. All remaining motions are **DENIED AS MOOT**.

**IT IS SO ORDERED.**

Date: November 13, 2017  
Kansas City, Missouri

**S/ FERNANDO J. GAITAN, JR.**  
Fernando J. Gaitan, Jr.  
United States District Judge