Samuels v. Nebraska Dept. of Corrections et al Doc. 27

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

HERBERT L. CAMPBELL,	)	**CASE NO. 4:08CV3092**
	)	
Petitioner,	)	
	)	
v.	)	**MEMORANDUM**
	)	**AND ORDER**
BOB HOUSTON, Director, and	)	
UNKNOWN BAKEWELL, Warden,	)	
	)	
Respondents.	)	

This matter is before the court on its own motion. On August 18, 2008, the court stayed this matter and permitted Petitioner the opportunity to seek authorization from the Eighth Circuit to proceed with his successive Petition for Writ of Habeas Corpus. (Filing No. 22.) Petitioner sought such authorization, which the Eighth Circuit denied. (Filing Nos. 24 and 25.)

IT IS THEREFORE ORDERED that:

1. For the reasons set forth in the court's August 18, 2008, Memorandum and Order, Petitioner's Petition for Writ of Habeas Corpus (Filing No. 1) is an unauthorized successive petition and is dismissed without prejudice; and

2. A separate judgment will be entered in accordance with this Memorandum and Order.

DATED this 3rd day of November, 2009.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge

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