

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

WOPASHITWE MONDO EYEN)
WE LANGA,)
)
Petitioner,)

8:10CV229

V.)

ROBERT P. HOUSTON, Director of)
Nebraska Department of Correctional)
Services and, NEBRASKA BOARD)
OF PAROLE, The, and NEBRASKA)
BOARD OF PARDONS, The,)
)
Respondents.)

MEMORANDUM AND ORDER

Petitioner filed a successive Petition for Writ of Habeas Corpus ([filing 1](#)) on June 18, 2010. At the time of filing, Petitioner had not obtained authorization from the Eighth Circuit Court of Appeals to file a successive petition as required by [28 U.S.C. § 2244\(b\)](#). However, as of June 18, 2010, Petitioner had also filed a Petition for Permission to File a Successive Habeas Petition in the Eighth Circuit. On October 4, 2010, this court stayed this matter pending the Eighth Circuit’s ruling on Petitioner’s request to file a successive petition. ([Filing 7.](#))

On October 28, 2010, the Eighth Circuit denied Petitioner’s request to file a successive petition. ([Filing 8.](#)) Accordingly, Petitioner’s Petition for Writ of Habeas Corpus ([filing 1](#)) is an unauthorized successive petition and will be dismissed.

IT IS ORDERED:

1. Petitioner’s Petition for Writ of Habeas Corpus is dismissed without

prejudice.

2. A separate judgment will be entered in accordance with this memorandum and order.

December 6, 2010.

BY THE COURT:

Richard G. Kopf

United States District Judge