

FILED
IN CLERK'S OFFICE
US DISTRICT COURT E.D. NY

★ JUL 06 2010 ★

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
SHAWN NEWTON,

Petitioner,

-against-

09-CV-2716 (ENV)

DAVID G. TRAGER and
SUSAN MACDERMOTT,

Respondents.

-----X
SHAWN NEWTON,

Petitioner,

-against-

09-CV-3606 (ENV)

U.S. GOVERNMENT,

Respondent.

-----X
VITALIANO, D.J.

Pro se petitioner Shawn Newton ("Newton"), who is currently incarcerated at the Federal Medical Center in Butner, North Carolina, has filed multiple habeas corpus petitions pursuant to 28 U.S.C. § 2241. By Order dated September 28, 2009, the Court dismissed the above-captioned petitions and directed Newton to show cause why he should not be enjoined from filing future petitions without leave of the Court. Newton did not file any response to the Court's Order, but he did file a Notice of Appeal to the Court of Appeals for the Second Circuit. This Court denied *in forma pauperis* status for purpose of the appeals and Newton did not pay the filing fee. Accordingly, the Court of Appeals dismissed both appeals. See Newton v. Trager, No. 09-4310-pr, slip op. (2d Cir. February 2, 2010) (mandate of dismissal for failure to pay appeal docket fee); Newton v. United States Gov't, No. 09-4303-pr, slip op. (2d Cir. Oct. 20, 2009) (mandate of dismissal without prejudice, directing appellant to seek a certificate of appealability in the district

dm


court).

Newton has failed to comply with this Court's order directing him to show cause why he should not be enjoined from filing any additional *in forma pauperis* petitions or documents with this Court challenging his November 28, 2002 conviction or the September 28, 2007 denial of his habeas petition. Accordingly, and for the reasons set forth in this Court's September 28, 2009 Order, he is hereby enjoined from filing any such petitions without first seeking leave of the Court. The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal would not be taken in good faith and therefore *in forma pauperis* status is denied for the purpose of any appeal. See Coppedge v. United States, 369 U.S. 438, 444-45, 82 S. Ct. 917, 920-21 (1962).

The Clerk of the Court is directed to close the above-captioned cases.

SO ORDERED.

Dated: Brooklyn, New York
July 2, 2010



ERIC N. VITALIANO
United States District Judge