

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

<b>CLIFTON C. ONUNWOR,</b>	)	<b>CASE NO. 1:23-CV-00810</b>
	)	
<b>Plaintiff,</b>	)	<b>JUDGE CHRISTOPHER A. BOYKO</b>
	)	
<b>vs.</b>	)	
	)	
<b>KENNETH BLACK, WARDEN,</b>	)	<b>OPINION AND ORDER</b>
	)	
<b>Defendant.</b>	)	

**CHRISTOPHER A. BOYKO, J.:**

On April 19, 2023, Petitioner filed for a Writ of Habeas Corpus under 28 U.S.C. § 2254. (ECF #1.) On May 5, 2023, the Court transferred the matter to the United States Court of Appeals for the Sixth Circuit as the Petitioner did not state or demonstrate in his Petition that he had sought and obtained permission from the Court of Appeals to file a second or successive petition relating to his 2009 conviction. (ECF #4.) On May 30, 2023, Petitioner filed an after the fact Motion for Leave to file his second or successive petition. (ECF #5.) At the time the motion was filed, the Court had been deprived of jurisdiction to adjudicate the motion due to the transfer of the Petition to the Sixth Circuit Court of Appeals.

On October 6, 2023, the Sixth Circuit Court of Appeals issued an order denying Petitioner’s motion for an order authorizing the district court to consider a second or successive § 2254 petition for a writ of habeas corpus on the basis that some of his claims were raised in his initial habeas petition, other new claims do not cite a new and previously unavailable rule of constitutional law that the Supreme Court has made retroactively applicable to cases on collateral

review, nor did he point to newly discovered facts that would satisfy § 2244(b)(2)(B) (ECF #6.) Accordingly, the Petitioner's Motion for Leave (ECF #5) is **DENIED** and the Petition (ECF #1) is **DISMISSED**.

**IT IS SO ORDERED.**

/s Christopher A. Boyko  
**CHRISTOPHER A. BOYKO**  
**United States District Judge**

**Dated: February 14, 2024**