

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

Douglas Al-Azeem Wali,

Case No. 5:17-cv-1608

Petitioner

v.

TRANSFER ORDER

Warden, Warren Correctional Institution,

Respondent

Pro se Petitioner Douglas Al-Azeem Wali, also known as Douglas Edward Haddix, filed this action seeking a writ of *habeas corpus* in the Southern District of Ohio where he is incarcerated. The Southern District construed the Petition as challenging Petitioner's convictions in Stark County, Ohio, and transferred the action to this District.

Petitioner has already filed a petition for a writ of *habeas corpus* pursuant to 28 U.S.C. § 2254 challenging his Stark County convictions, and I have already issued a judgment dismissing that petition as time-barred. *See Haddix v. Christopher LaRose*, Case No. 5: 13 CV 2573 (N.D. Ohio).

Title 28 U.S.C. §2244(b)(3)(A) provides that before a second or successive *habeas corpus* application under section 2254 is filed in the district court, the applicant must move in the appropriate court of appeals for an order authorizing the district court to consider the application. *See also Keith v. Bobby*, 618 F.3d 594, 599-600 (6th Cir. 2010). Unless the court of appeals has given approval for the filing of second or successive petition, the district court must transfer the petition to the court of appeals. *In re Sims*, 111 F.3d 45, 47 (6th Cir. 1997).

Accordingly, pursuant to *In re Sims*, I am hereby transferring this action to the United States Court of Appeals for the Sixth Circuit.

So Ordered.

s/ Jeffrey J. Helmick
United States District Judge