


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Michael Lee Gordon, :
 :
 Petitioner : Civil Action 2:09-cv-00929
 :
 v. : Judge Sargus
 :
 State of Ohio : Magistrate Judge Abel
 :
 Respondent :

Order

Petitioner Michael Lee Gordon, a federal prisoner challenging state criminal convictions, brought this action under 28 U.S.C. §2254 for a petition for writ of habeas corpus. The Court determined it was a successive petition and transferred it to the United States Court of Appeals for the Sixth Circuit. On February 18, 2011, the Court of Appeals denied petitioner leave to file a successive petition. This matter is now before the Court on petitioner Gordon's March 11, 2011 motion for relief from judgment (doc. 9).

Petitioner again alleges that the prosecutor violated *Brady v. Maryland*, 373 U.S. 83 (1963) by failing to disclose a witness's statements that Gordon was not present when the victim was murdered. However, the United States Court of Appeals for the Sixth Circuit denied petitioner leave to pursue that claim in a successive petition. Accordingly, petitioner Gordon's March 11, 2011 motion for relief from judgment (doc. 9) is DENIED.

 7-11-2011

Edmund A. Sargus, Jr.
United States District Judge