

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF OKLAHOMA

WILLIAM MATTHEW WATSON,)
Petitioner,)
v.) Case No. CIV-13-142-D
MIKE ADDISON, Warden,)
Respondent.)

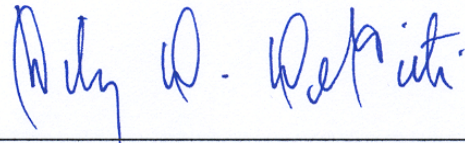
ORDER

This matter is before the Court for review of the Report and Recommendation [Doc. No. 6] issued by United States Magistrate Judge Shon T. Erwin pursuant to 28 U.S.C. § 636(b)(1)(B)-(C). Upon initial screening, Judge Erwin recommends that the Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus be dismissed without prejudice for lack of jurisdiction. Petitioner has already filed a petition challenging the same criminal conviction; he did not obtain prior authorization to file a second petition; and a transfer to the court of appeals for authorization is not warranted.

The record reflects that Petitioner has neither filed a timely objection to the Report and Recommendation, nor requested additional time to object. The Court therefore finds that Petitioner has waived further review. See Moore v. United States, 950 F.2d 656, 659 (10th Cir. 1991); see also United States v. 2121 East 30th Street, 73 F.3d 1057, 1060 (10th Cir. 1996). Further, upon de novo consideration of the issues, the Court finds that Judge Erwin’s analysis is correct. The Court concurs in the recommendation to dismiss the Petition for lack of jurisdiction because it constitutes a second or successive petition subject to the requirements of 28 U.S.C. § 2244(b)(3)(A).

IT IS THEREFORE ORDERED that the Court adopts the Report and Recommendation [Doc. No. 6] in its entirety. The action is dismissed without prejudice. A separate judgment shall be entered accordingly.

IT IS SO ORDERED this 11th day of March, 2013.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE