

UNITED STATES DISTRICT COURT  
FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

FILED  
SCRANTON

DEC 02 2014

PER

  
DEPUTY CLERK

ERICK FLORES-RIVERA,

Petitioner

v.

DAVID EBBERT,

Respondent

:  
:  
:  
:  
:  
:  
:  
:  
:  
:  
:

CIVIL NO. 3:CV-14-2251

(Judge Kosik)

**ORDER**

**AND NOW, THIS 2<sup>nd</sup> DAY OF DECEMBER, 2014**, for the reasons set forth in the accompanying Memorandum, **IT IS HEREBY ORDERED AS**

**FOLLOWS:**

1. Petitioner's application to proceed in forma pauperis (Doc. 2) is **granted**.
2. The petition for writ of habeas pursuant to 28 U.S.C. § 2241 is **dismissed for lack of jurisdiction** and without prejudice to Petitioner seeking leave from the United States Court of Appeals for the First Circuit to file a second or successive 28 U.S.C. § 2255 motion.
3. The Clerk of Court is directed to **close this case**.



EDWIN M. KOSIK  
United States District Judge