

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

TERRENCE UPSHAW,	:	
Petitioner	:	CIVIL ACTION NO. 3:15-CV-0658
	:	(Judge Nealon)
v.	:	
	:	
D. EBBERT, WARDEN,	:	
Respondent	:	

ORDER

AND NOW, THIS 24TH DAY OF AUGUST, 2015, in accordance with the

Memorandum of this date, **IT IS HEREBY ORDERED THAT:**

1. The petitioner for writ of habeas corpus, (Doc. 1), is **DISMISSED** for lack of jurisdiction and without prejudice to Petitioner requesting leave to file a second or successive section 2255 motion with the United States Court of Appeals for the Second Circuit.
2. The Clerk of Court is directed to **CLOSE** this case.

/s/ William J. Nealon
United States District Judge