

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Robert L. Mitchell, #140920,)	C/A NO. 4:13-470-CMC-TER
)	
Petitioner,)	
)	OPINION and ORDER
v.)	
)	
Warden, Broad River Correctional)	
Institution,)	
)	
Respondent.)	
_____)	

This matter is before the court on the *pro se* application for writ of habeas corpus, filed in this court pursuant to 28 U.S.C. § 2254. On April 29, 2013, this court adopted the Report and Recommendation of the United States Magistrate Judge and dismissed the petition as successive. *See* Opinion and Order, ECF No. 17.

After the Clerk entered Judgment, Petitioner’s objections were received for filing. Petitioner’s objections were received by prison mailroom personnel on April 25, 2013. *See* ECF No. 20-2. Accordingly, the objections were timely filed. *See Houston v. Lack*, 487 U.S. 266 (1988).

Therefore, after conducting a *de novo* review of the record as to the objections made, and considering Petitioner’s objections, the applicable law, the record, and the Report and Recommendation of the Magistrate Judge, the court affirms its Opinion and Order entered April 29, 2013. Despite Petitioner’s contentions to the contrary, this petition for writ of habeas corpus is a second or successive petition which, absent an order from the Fourth Circuit Court of Appeals, this court has no jurisdiction to entertain.

Therefore, the court affirms its Opinion and Order filed April 29, 2013.

IT IS SO ORDERED.

s/ Cameron McGowan Currie
CAMERON MCGOWAN CURRIE
UNITED STATES DISTRICT JUDGE

Columbia, South Carolina
April 30, 2013