

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

JERRY LEE MILLER, SR., #1749796,)	
)	
Petitioner,)	
)	
VS.)	CIVIL NO. 3:18-CV-0321-G (BK)
)	
LORIE DAVIS, Director, Texas)	
Department of Criminal Justice,)	
Correctional Institutions Div.,)	
)	
Respondent.)	

**ORDER ACCEPTING FINDINGS, CONCLUSIONS AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

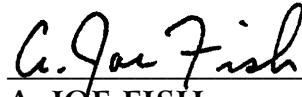
The United States Magistrate Judge made findings, conclusions and a recommendation in this case. No objections were filed. The district court reviewed the proposed findings, conclusions and recommendation for plain error. Finding none, the court **ACCEPTS** the findings, conclusions and recommendation of the United States Magistrate Judge.

It is therefore **ORDERED** that the successive habeas petition is **TRANSFERRED** to the **United States Court of Appeals for the Fifth Circuit**.

See 28 U.S.C. § 2244(b)(3); 28 U.S.C. § 1631*

SO ORDERED.

March 29, 2018.



A. JOE FISH

Senior United States District Judge

* An order transferring a successive application to the court of appeals is not a final order requiring a certificate of appealability. See *United States v. Fulton*, 780 F.3d 683, 688 (5th Cir. 2015); *Brewer v. Stephens*, 605 F. App'x 417, 417 (5th Cir. 2015) (per curiam).