

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH  
CENTRAL DIVISION

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BRIAN WILLIAM ADERHOLD,

Petitioner,

vs.

UNITED STATES OF AMERICA,

Respondent.

MEMORANDUM DECISION AND  
ORDER TRANSFERRING CASE

Civil Case No. 2:07-CV-1005 TS

Criminal Case No. 2:05-CR-544 PGC

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For the reasons stated in Petitioner's previous cases,<sup>1</sup> the Court finds this to be a successive motion under 28 U.S.C. § 2255. As Petitioner has not met the requirements to file a successive motion under § 2255, the Court will transfer the Petition to the Tenth Circuit Court of Appeals pursuant to 28 U.S.C. § 1631.<sup>2</sup>

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<sup>1</sup>Docket No. 6 in Civil Case No. 2:07-CV-789 TS; Docket No. 2 in Civil Case No. 2:07-CV-900 TS.

<sup>2</sup>See *Coleman v. United States*, 106 F.3d 339, 341 (10th Cir. 1997).

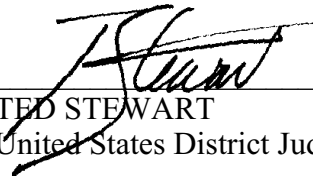
It is therefore

ORDERED that Petitioner's Writ of Habeas Corpus (Docket No. 1 in Civil Case No. 2:07-CV-1005 TS) is transferred to the Tenth Circuit Court of Appeals for authorization. The Clerk of the Court is directed to transfer this matter to the Tenth Circuit Court of Appeals.

The clerk of the court is directed to close this case forthwith.

DATED this 3<sup>rd</sup> day of January, 2008.

BY THE COURT:



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TED STEWART  
United States District Judge