

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

TEHGRAIN JAMAL JONES, )

Petitioner, )

v. )

COMMONWEALTH OF VIRGINIA, )

Respondent. )

Civil Action No. 3:22CV278-HEH

**MEMORANDUM OPINION**  
**(Dismissing Successive § 2254 Petition)**

Petitioner, a Virginia prisoner proceeding *pro se*, submitted a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, challenging his convictions in the Circuit Court for the City of Norfolk, Virginia for one count of robbery, two counts of use of a firearm in the commission of a felony, one count of carjacking, and two counts of conspiracy. (ECF No. 1, at 1.). The Court previously has denied a 28 U.S.C. § 2254 petition filed by Petitioner challenging these convictions. *See Jones v. Dir. of Va. Dep't of Corr.*, No. 3:15CV265-HEH, 2016 WL 4474130, at \*1, \*9 (E.D. Va. Aug. 23, 2016).


The Antiterrorism and Effective Death Penalty Act of 1996 restricted the jurisdiction of the district courts to hear second or successive applications for federal habeas corpus relief by prisoners attacking the validity of their convictions and sentences by establishing a “gatekeeping mechanism.” *Felker v. Turpin*, 518 U.S. 651, 657 (1996) (internal quotation marks omitted). Specifically, “[b]efore a second or successive application permitted by this section is filed in the district court, the applicant shall move

in the appropriate court of appeals for an order authorizing the district court to consider the application.” 28 U.S.C. § 2244(b)(3)(A).

The Court has not received authorization from the United States Court of Appeals for the Fourth Circuit to consider the present § 2254 petition. Therefore, the action will be dismissed without prejudice for want of jurisdiction. A certificate of appealability will be denied.

An appropriate Final Order will accompany this Memorandum Opinion.

Date: April 28, 2022  
Richmond, Virginia

  
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/s/  
Henry E. Hudson  
Senior United States District Judge