

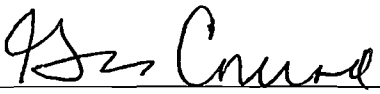
A Rule 60(b) motion that seeks to revisit a judgment dismissing a § 2254 petition as without merit should be dismissed as a successive habeas petition to prevent petitioners from using such a motion to circumvent the rule in 28 U.S.C. § 2244(b), barring successive petitions. Id. at 531-32. Here, Olsen challenges this court's finding of procedural default under Rule 60(b), so the court may address his contentions under that rule. Id. at 532.

For reasons already stated in prior memorandum opinions, however, the motion must be denied. Olsen merely reargues the procedural default issue that the court has already decided against him. (See, e.g., Opinion 2-3, ECF No. 13; Opinion 3-4, ECF No. 56.) The court is satisfied that the decision was correct to apply procedural default principles to bar review of Olsen's federal habeas claims on the merits. Moreover, as the court has previously found, even if Olsen could show cause for his default under state procedural rules, he cannot show actual prejudice. See Coleman v. Thompson, 501 U.S. 722, 750 (1991) (barring federal habeas review of procedurally defaulted claim absent a showing of cause for the default and resulting prejudice).

For the stated reasons, the court must deny Olsen's motion for reconsideration, and will dismiss his remaining motions as moot. An appropriate order will issue this day.

The clerk will send a copy of this order to petitioner and to counsel of record for the respondent.

ENTER: This 13th day of October, 2017.


United States District Judge