

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED
JAN 20 2006
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SANDRA K. SARKISIAN,)
Petitioner,)
)
)
v.)
)
)
UNITED STATES OF AMERICA,)
Respondent.)

Civil Action No. 7:06cv00043

MEMORANDUM OPINION

By: Samuel G. Wilson
United States District Judge

Petitioner Sandra K. Sarkisian brings this motion to correct her sentence pursuant to 28 U.S.C. § 2255 claiming her sentence is unconstitutional under United States v. Booker, 543 U.S. 220 (2005). Sarkisian has previously filed a § 2255 motion regarding the same conviction and/or sentence. See Sarkisian v. United States, 7:02cv00517 (W.D. Va. 2002). Thus, her current § 2255 motion is successive, and the court may only review it if the Fourth Circuit has authorized Sarkisian to file a successive § 2255 motion. 28 U.S.C. § 2255. Sarkisian does not allege that the Fourth Circuit has authorized her to file a successive motion. Accordingly, the court lacks jurisdiction to review Sarkisian 's motion and, therefore, dismisses it.¹

ENTER: This 20th day of January, 2006.


UNITED STATES DISTRICT JUDGE

¹Moreover, the Supreme Court did not make Booker retroactive to cases on collateral review, meaning Sarkisian may not raise a Booker claim in a § 2255 motion. See Booker, 125 S. Ct. at 769.