

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

CLERK'S OFFICE U.S. DIST. COURT
AT DANVILLE, VA

FILED
for Roanoke
FEB 26 2008

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BY: *[Signature]*
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CURTIS LEON TAYLOR, SR.,
Petitioner,

Civil Action No. 7:08-cv-00165

v.

MEMORANDUM OPINION

GEORGE M. HINKLE,
Respondent.

By: Hon. Jackson L. Kiser
Senior United States District Judge

The petitioner, a Virginia inmate proceeding pro se, has submitted to the court this petition for writ of habeas corpus, pursuant to 28 U.S.C. § 2254. However, court records indicate that the petitioner has previously filed other § 2254 petitions concerning the same conviction, Civil Action Nos. 7:05-cv-00205 and 7:07-cv-00083. Thus, the petitioner's current petition is a subsequent one, falling under the successive petition provisions of the federal habeas statutes in 28 U.S.C. § 2244(b). Pursuant to this section, a federal district court may consider a second or successive § 2254 petition only upon specific certification from the United States Court of Appeals for the Fourth Circuit that the claims in the petition meet certain criteria. Because the petitioner has not submitted any evidence that he has obtained such certification by the United States Court of Appeals for the Fourth Circuit, I will dismiss the petition without prejudice as successive.*

The Clerk is directed to send copies of this Memorandum Opinion and the accompanying Order to the petitioner.

ENTER: This 26th day of February, 2008.

[Signature]
Senior United States District Judge

*A Fourth Circuit form and instructions for filing a request for certification to file a subsequent petition are available from the Fourth Circuit at the following address: Office of the Clerk, United States Court of Appeals for the Fourth Circuit, 900 E. Main St., Richmond, VA 23219.