

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
AT BLUEFIELD

**BLAKE SANDLAIN**

Petitioner,

v.

CIVIL ACTION NO. 1:20-00358

**WARDEN C. MARUKA,**  
**FCI McDowell,**

Respondent.

**MEMORANDUM OPINION AND ORDER**

Pending before the court is Sandlain's motion pursuant to Rule 60(b)(1) and 60(b)(6). See ECF No. 60. For the reasons expressed by the Court in its recent decision in Jones v. Hendrix, 143 S. Ct. 1857, 2023 WL 4110233, at \*5 (June 22, 2023), (§ 2255(e) "does not permit a prisoner asserting an intervening change in statutory interpretation to circumvent [the] restrictions on second or successive § 2255 motions by filing a § 2241 petition"), Sandlain's motion is **DENIED**.\*


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\*The court has already denied a motion for reconsideration in this case. See ECF No. 45. That ruling was affirmed on appeal. See ECF Nos. 53 and 54. On January 9, 2023, the Clerk of the United States Supreme Court informed the United States Court of Appeals for the Fourth Circuit that Sandlain's petition for a writ of certiorari had been dismissed. See ECF No. 61. That letter also stated that Sandlain "has repeatedly abused this Court's process," and directed the Clerk "not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1." Id.

The Clerk is directed to send a copy of this Memorandum Opinion and Order to counsel of record and unrepresented parties.

**IT IS SO ORDERED** this 18th day of July, 2023.

ENTER:

A handwritten signature in black ink, reading "David A. Faber", is written over a solid horizontal line.

David A. Faber

Senior United States District Judge