

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

BENNIE GRAY, JR. :
 :
 v. : PRISONER
 : Case No. 3:08cv165 (PCD)
 :
 COMMISSIONER OF CORRECTION :

RULING ON MOTION FOR RECONSIDERATION

On June 19, 2007, petitioner Bennie Gray, Jr., an inmate confined at the Brooklyn Correctional Institution in Brooklyn, Connecticut, filed a habeas corpus action, Gray v. Commissioner of Correction, 3:07cv1097 (PCD), challenging his conviction for manslaughter with a firearm ("the first federal habeas action"). The court granted respondent's motion to dismiss the first federal habeas petition as time-barred.

On January 31, 2008, Gray filed this second federal habeas corpus action. The case was assigned to another district judge. Respondent moved to have the case transferred to the Court of Appeals as a second or successive petition. The court construed the petition as an attempt to reopen the first federal habeas action, denied respondent's motion and transferred the case to the undersigned.

In addition to this motion for reconsideration, Gray filed a motion to reopen the first habeas action. The motions seek the same result, reopening the first federal habeas petition.

