

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

-----x
CLINTON D. COX, :
 :
 Petitioner, :
 :
 v. : Civ. No. 3:15CV1130 (AWT)
 :
 UNITED STATES OF AMERICA, :
 :
 Respondent. :
-----x

ORDER DISMISSING SUCCESSIVE § 2255 MOTION

Petitioner Clinton Cox's Petition for Writ of Habeas Corpus 2255(f) (Doc. No. 1) must be dismissed for lack of jurisdiction.

The petitioner failed to seek leave from the Second Circuit to file a second, or successive, habeas petition prior to filing the instant motion. In addition, after he filed it, the petitioner sought leave from the Second Circuit to file the instant, successive 28 U.S.C. § 2255 motion. The Second Circuit denied his request "because the [p]etitioner fails to satisfy the criteria set forth on 28 U.S.C. § 2255(h)." Mandate issued on August 25, 2016, Court of Appeals Doc. No. 16-1877 (Case No. 3:11CV1568, Doc. No. 74). Also, the court noted that

Petitioner seeks to raise a claim based on Dorsey v. United States, 132 S. Ct. 2321 (2012). However, in that decision, the Supreme Court addressed statutory interpretation and did not announce a new rule of constitutional law made retroactive on collateral review. See In re Shines, 696 F.3d 1330, 1332 (10th Cir. 2012).

Id.

Accordingly, the petition is barred and must be dismissed.

It is so ordered.

Dated this 22nd day of May, 2018 at Hartford, Connecticut.

/s/AWT

Alvin W. Thompson
United States District Judge