

**UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT**

LUKE JONES,  
*Petitioner,*

v.

UNITED STATES OF AMERICA,  
*Respondent.*

No. 3:15-cv-1405 (VAB)

**RULING AND ORDER ON MOTION FOR RECONSIDERATION**

On September 28, 2018, this Court denied Luke Jones’s application for a writ of habeas corpus. *See* Ruling and Order, dated Sept. 28, 2018, ECF No. 12. The Court found that the motion was an uncertified, successive habeas petition, as it raised claims regarding the original judgment of conviction and was not based on a new, intervening judgment. *Id.* at 6. The Court therefore found that it had no jurisdiction to rule on the merits of the petitioner’s claims in the absence of a certification by the Second Circuit Court of Appeals (the “Second Circuit”). *Id.* (citing *Torres v. Senkowski*, 316 F.3d 147, 149 (2d Cir. 2003) (“[T]he authorization requirement is jurisdictional and therefore cannot be waived.”)). Accordingly, the Court transferred the petition to the Second Circuit under 28 U.S.C. § 1631, in the interest of justice, for a determination of whether it may be heard by this Court. *Id.* at 7; Order of Transfer, dated Sept. 28, 2018, ECF No. 13; *see also Liriano v. United States*, 95 F.3d 119, 123 (2d Cir. 1996) (per curiam) (“[W]hen a second or successive petition for habeas corpus relief or § 2255 motion is filed in a district court without the authorization by this Court that is mandated by § 2244(b)(3), the district court should transfer the petition or motion to this Court in the interest of justice pursuant to § 1631. . . .”).

In a filing dated October 26, 2018, Mr. Jones moved for reconsideration of the Court's Order. *See* Motion for Reconsideration, filed Nov. 9, 2018, ECF No. 14.<sup>1</sup>

Under this District's local rules, motions for reconsideration must be filed and served within seven days of the filing of the decision or order from which such relief is sought. D. Conn. L. Civ. R. 7(c)(1). Mr. Jones's motion is therefore untimely, as it was made three weeks after the October 5, 2018 deadline.

Even if the motion were not untimely, however, this Court has no jurisdiction to decide Mr. Jones's motion for reconsideration, as the case was transferred to the Second Circuit six weeks ago. Any further filings as to the successive habeas petition must accordingly be directed to the Second Circuit.

Mr. Jones's motion therefore is **DENIED** for want of jurisdiction.

**SO ORDERED** this 14th day of November, 2018, at Bridgeport, Connecticut.

/s/ Victor A. Bolden  
Victor A. Bolden  
United States District Judge

---

<sup>1</sup> While the filing was entered on the docket by the Clerk of the Court on November 9, 2018, the certificate of service attached to the motion is dated October 26, 2018. *See* Certification, annexed to Motion for Reconsideration at 12.