

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

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CLINTON D. COX, :
 :
 Petitioner, :
 :
 v. : Civ. No. 3:15CV1612 (AWT)
 :
 UNITED STATES OF AMERICA, :
 :
 Respondent. :
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ORDER DISMISSING SUCCESSIVE § 2255 MOTION

Petitioner Clinton Cox's Motion for Successive or Second 2255 Under Newly Discovered Evidence (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, and the Second Circuit denied his request. Also, the Second Circuit went on to address the merits of his claim and concluded that even if his claim "is considered new", the motion must be denied. Mandate issued on January 4, 2016, Court of Appeals Doc. No. 15-3229 (Case No. 3:11CV1568, Doc. No. 71).

Accordingly, the petitioner's motion is barred and must be dismissed.

It is so ordered.

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

/s/AWT

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Alvin W. Thompson
United States District Judge