

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

MICHAEL SVEUM,

Petitioner,

ORDER

v.

00-C-563-C

JUDY P. SMITH, Warden, Oshkosh
Correctional Institution,

Respondent.

On June 9, 2005, petitioner Michael Sveum filed his third motion to vacate this court's judgment of December 14, 2000, dismissing his petition for a writ of habeas corpus. As in his previous two motions, petitioner contends that the judgment is void because this court dismissed the petition without holding an evidentiary hearing on the issue of the effectiveness of postconviction counsel. The instant motion differs in no material respects from the previous motions filed by petitioner. As this court has explained to petitioner many times, it does not intend to deviate from its position that petitioner's attack on this court's judgment is in effect a successive attack on his conviction, and therefore this court has no authority to entertain it unless petitioner first obtains permission from the court of appeals.

Accordingly, IT IS ORDERED that petitioner's motion to vacate the judgment is DENIED. In the event petitioner files another submission pertaining to 00-C-563-C, the clerk of court is directed to route the document to chambers before docketing it. If upon

reviewing the submission I conclude that it is yet another unauthorized successive petition that differs in no material respects from those already filed, I will place the document in the file and take no further action on it.

Entered this 13th day of June, 2005.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge