

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

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TIMOTHY L. STEWART,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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ORDER

99-CR-3-S-01

Petitioner moves to correct his sentence under 28 U.S.C. § 2255 and for appointment of counsel. Petitioner's first motion under 28 U.S.C. § 2255 was denied by this Court on June 29, 2001. This is petitioner's second 28 U.S.C. § 2255 motion.

This Court lacks jurisdiction of petitioner's motion. 28 U.S.C. § 2255. He must request permission from the United States Court of Appeals for the Seventh Circuit to file his motion.

Petitioner's motion under 28 U.S.C. § 2255 will be denied because this Court lacks jurisdiction to address a successive motion under 28 U.S.C. § 2255. His motion for appointment of counsel will also be denied.

ORDER

IT IS ORDERED that petitioner's motion under 28 U.S.C. § 2255 is DENIED for lack of jurisdiction.

Stewart v. U.S., 99-CR-0003-S-01

IT IS FURTHER ORDERED that petitioner's motion for appointment of counsel is DENIED.

Entered this 8<sup>th</sup> day of March, 2007.

BY THE COURT:

/s/

JOHN C. SHABAZ  
District Judge