

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

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MARCUS HAWKINS,

Petitioner,

ORDER

v.

3:08-cv-226-slc

GREG GRAMS, Warden,  
Columbia Correctional Institution,

Respondent.

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On June 25, 2008, this court entered an order and judgment dismissing summarily Marcus Hawkins's application for a writ of habeas corpus on the ground that it had no merit. Petitioner appealed that judgment. In an order entered October 20, 2008, the court of appeals vacated the judgment on the ground that the petition was a successive collateral attack over which the court did not have jurisdiction. 28 U.S.C. § 2244(b)(3)(A). The court pointed out that in January 2000, petitioner had filed a § 2254 petition in the Eastern District of Wisconsin, which the court denied. I was not aware of that fact when I issued my June 25, 2008 order.

ORDER

IT IS ORDERED that the petition of Marcus Hawkins for a writ of habeas corpus is DISMISSED because it is an unauthorized successive collateral attack over which this court lacks jurisdiction.

Entered this 3<sup>d</sup> day of December, 2008.

BY THE COURT:

/s/

BARBARA B. CRABB  
District Judge