

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION**

UNITED STATES OF AMERICA

v.

MARTY DEWAYNE LAWSON,

Defendant.

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Case No. 1:04CR00097

OPINION

By: James P. Jones
United States District Judge

Marty Dewayne Lawson, Pro Se Defendant.

On September 1, 2005, defendant Marty Dewayne Lawson was sentenced in this court to 195 months' imprisonment (ECF No. 27), and on December 19, 2012, I denied Lawson's Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255. *United States v. Lawson*, No. 1:04CR00097, 2012 WL 6621839, at *1 (W.D. Va. Dec. 19, 2012), *appeal dismissed*, 514 F. App'x 347 (4th Cir. 2013) (unpublished). More than three years later, Lawson has filed another Motion to Vacate, Set Aside, or Correct Sentence pursuant to 28 U.S.C. § 2255 (ECF No. 54) based on a change in case law. Because Lawson has not shown that the United States Court of Appeals for the Fourth Circuit has authorized him to file a successive § 2255 motion, the § 2255 motion must be dismissed without prejudice as successive pursuant to 28 U.S.C. § 2255(h).

DATED: May 2, 2016

/s/ James P. Jones
United States District Judge