

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

WILLIAM LEE ANDERSON II,)	
)	
Petitioner,)	Case No. 7:14CV00202
)	
v.)	OPINION
)	
DIRECTOR OF VDOC,)	By: James P. Jones
)	United States District Judge
Respondent.)	

William Lee Anderson II, Pro Se Petitioner.

The petitioner, proceeding pro se, has filed a Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254, challenging his 2009 convictions for bank robbery and obstruction of justice in Washington County Circuit Court.¹ I find the petition to be successive and dismiss it pursuant to 28 U.S.C. § 2244(b).²

This court may consider a second or successive § 2254 petition motion only upon specific certification from the United States Court of Appeals for the Fourth Circuit that the claims in the motion meet certain criteria. See 28 U.S.C.

¹ Initially, petitioner filed his § 2254 petition and a number of related attachments and motions in the United States District Court for the Eastern District of Virginia. That court transferred the cause of action to this court, because the court of conviction is located within this jurisdiction.

² Under Rule 4(b) of the Rules Governing § 2254 Cases, the court may summarily dismiss a § 2254 petition “[i]f it plainly appears from the petition and any attached exhibits that the petitioner is not entitled to relief in the district court.”

§ 2244(b). The petitioner previously filed a § 2254 petition concerning this same conviction and sentence. *See Anderson v. Dir. of Dep't of Corr.*, No. 7:12CV00323 (W.D. Va. Aug. 8, 2012) (dismissing § 2254 petition as untimely filed), *appeal dismissed*, 502 F. App'x 261 (4th Cir. 2012) (unpublished). Because the petitioner offers no indication that he has obtained certification from the court of appeals to file a second or successive § 2254 petition, I must dismiss his current action without prejudice.³

A separate Final Order will be entered herewith. The clerk will send a copy of that Final Order and this Opinion to the petitioner.

DATED: April 30, 2014

/s/ James P. Jones
United States District Judge

³ Petitioner has also filed several motions, seeking in forma pauperis status, an acquittal on his state court criminal charges, an evidentiary hearing, and an appeal to this court of the Supreme Court of Virginia's dismissal of his habeas appeal in 2013. (ECF Nos. 3, 5, 7, 10, & 16.) Because I am dismissing this § 2254 action as successive, I also dismiss petitioner's pending motions as moot. Petitioner is advised that a federal district court cannot decide a direct appeal from a state court decision. *See Plyler v. Moore*, 129 F.3d 728, 731 (4th Cir. 1997).