

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 99-CR-10086-JTM-3

DE MARQUES M. MORRIS,

Defendant.

MEMORANDUM AND ORDER

Defendant has filed what is, in essence, his fourth motion pursuant to 28 U.S.C. § 2255 (Dkt. 242). *See United States v. Baker*, 781 F.3d 1204 (10th Cir. 2013) (petitioners cannot circumvent the statutory certification requirements applicable to second-or-successive applications by labeling motions as one under Rule 60). This court lacks jurisdiction to address the merits of a successive § 2255 motion until the Court of Appeals grants authorization. 28 U.S.C. § 2255(h); *United States v. Nelson*, 465 F.3d 1145, 1148 (10th Cir. 2006). Accordingly, the court dismisses this motion because it lacks jurisdiction to consider it.

IT IS THEREFORE ORDERED this 6th day of March, 2017, that defendant's motion (Dkt. 242) is dismissed. A copy of this order shall be forwarded to the Tenth Circuit.

s/ J. Thomas Marten
Chief United States District Judge