

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

JARQUEL JENKINS,

Petitioner,

v.

Case No.: 2:24-cv-609-SPC-KCD

UNITED STATES OF AMERICA,

Respondent.

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OPINION AND ORDER

Before the Court is Petitioner Jarquel Jenkins' Motion for Leave of Court to Reopen the Habeas Proceedings Pursuant to Fed. R. Civ. P. 60(b)(6) (Doc. 6). The operative pleading here is Jenkins' second motion under 28 U.S.C. § 2255. The Court dismissed this action because the Eleventh Circuit did not give Jenkins leave to file a second § 2255 motion as required by statute. *See* 28 U.S.C. § 2255(h). That requirement is not optional. The Eleventh Circuit must certify Jenkins' second § 2255 motion before this Court may consider it. Accordingly, Jenkins' motion (Doc. 6) is **DENIED**.

DONE and ORDERED in Fort Myers, Florida on September 5, 2024.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

SA: FTMP-1

Copies: All Parties of Record