

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

WEI CHIN,

Petitioner,

v.

UNITED STATES,

Respondent.

Criminal Action No. 8-124 (JMC)

**MEMORANDUM OPINION**

Petitioner Wei Chin seeks a writ of habeas corpus under 28 U.S.C. § 2255. ECF 79; ECF 81. He challenges the judgment of conviction entered in *United States v. Chin*, 8cr124. The Court **DISMISSES** Chin's habeas petition for lack of subject-matter jurisdiction.

Persons who wish to file a second or successive habeas petition in a district court must move the court of appeals to authorize the district court to consider the petition. *See* 28 U.S.C. § 2244(b)(3)(A). Without such authorization, the district court lacks subject-matter jurisdiction to consider the habeas petition. *See Burton v. Stewart*, 549 U.S. 147, 149 (2007).

Here, in 2008, Chin pleaded guilty to violating 18 U.S.C. § 2423(b). ECF 10. A year later, Chin petitioned for habeas relief under § 2255; he sought to vacate or set aside his sentence. ECF 29 at 3. The Court denied this petition. ECF 68. Chin now files another habeas petition under § 2255. ECF 81. He again seeks relief related to his 2008 guilty plea. *Id.* at 12. But Chin did not move the Court of Appeals for the D.C. Circuit to allow him to file this petition. Because Chin has filed a second or successive habeas petition without obtaining the appropriate authorization from the court of appeals, this Court lacks subject-matter jurisdiction over this latter petition. Chin's petition is thus dismissed.

**SO ORDERED.**

DATE: August 2, 2022

---

Jia M. Cobb  
U.S. District Court Judge