

**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, yet again, a writ of habeas corpus under 28 U.S.C. § 2255. ECF 85. He challenges the judgment of conviction entered in *United States v. Chin*, 8-cr-124. The Court **DISMISSES** Chin’s habeas petition for lack of subject-matter jurisdiction.

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, seeking to have his sentence vacated or set aside. ECF 29 at 3. The Court denied that petition. ECF 68. In 2022, Chin filed another habeas petition under § 2255. ECF 81. The Court again denied that petition, explaining that parties who want 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. ECF 82 (citing 28 U.S.C. § 2244(b)(3)(A)); ECF 83. Without such authorization, this Court explained, the district court lacks subject-matter jurisdiction to consider the habeas petition. ECF 82 (citing *Burton v. Stewart*, 549 U.S. 147, 149 (2007)).

Chin now files yet another habeas petition under § 2255. ECF 85. He again seeks relief related to his 2008 guilty plea. *Id.* at 1. 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 petition. Chin's petition is thus dismissed.

SO ORDERED.

DATE: August 4, 2023

Jia M. Cobb
U.S. District Court Judge