

FILED

United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

October 10, 2012

Elisabeth A. Shumaker
Clerk of Court

In re:

CHRISTOPHER S. SNIDER,

Movant.

No. 12-6207
(D.C. Nos. 5:09-CV-00671-M &
5:07-CR-00043-M-1)
(W.D. Okla.)

ORDER

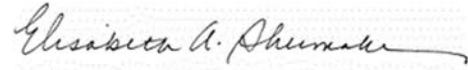
Federal prisoner Christopher S. Snider filed in the district court a motion that the court construed as an attempt to file an unauthorized second or successive 28 U.S.C. § 2255 motion. Because Mr. Snider had not obtained prior authorization from this court to file the petition, *see* 28 U.S.C. §§ 2255 and 2244(b)(3), the district court transferred the motion to this court on August 13, 2012. *See In re Cline*, 531 F.3d 1249, 1252 (10th Cir. 2008) (per curiam) (permitting district courts to transfer unauthorized second or successive § 2255 motions to this court in the interest of justice pursuant to 28 U.S.C. § 1631).

On August 16, 2012, this court sent Mr. Snider written notice (1) giving him thirty days to file in this court a motion for authorization to file a second or successive § 2255 motion or a motion for remand and (2) informing him that failure to file such a motion would be grounds for immediate dismissal for failure to prosecute under Tenth Circuit Rule 42.1. To date, Mr. Snider has not filed a motion

for authorization or a motion for remand, nor has he otherwise responded to this court.

Accordingly, the matter is DISMISSED.

Entered for the Court

A handwritten signature in cursive script, reading "Elisabeth A. Shumaker", written in black ink on a light gray background.

ELISABETH A. SHUMAKER, Clerk