

FILED
United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

October 15, 2024

Christopher M. Wolpert
Clerk of Court

In re: WILLIAM D. JONES,

Movant.

No. 24-6199
(D.C. No. 5:24-CV-00013-D)
(W.D. Okla.)

ORDER

Before **BACHARACH, KELLY**, and **FEDERICO**, Circuit Judges.

An Oklahoma jury convicted William D. Jones of several crimes. He has already challenged his convictions in previous 28 U.S.C. § 2254 habeas applications. He now moves for authorization to file another § 2254 application.

We may authorize him to file another habeas “claim only if it falls within one of two narrow categories—roughly speaking, if it relies on a new and retroactive rule of constitutional law or if it alleges previously undiscoverable facts that would establish his innocence.” *Banister v. Davis*, 590 U.S. 504, 509 (2020); *see* 28 U.S.C. § 2244(b)(2).

Mr. Jones has not shown his new claims fit in either category. He concedes his new claims do not rely on a new rule of law. Most of his claims focus on events that occurred during pretrial proceedings or the trial itself—the trial judge’s decision to exclude testimony, for example. But the facts underlying those claims were known before Mr. Jones filed his first § 2254 proceeding. Mr. Jones says DNA evidence would prove his innocence, yet he fails to describe that evidence or explain how it would prove

his innocence. He also asserts that “witnesses will write statements that the DA coerced and forced them to lie,” Mot. for Authorization at 10, yet he fails to identify these witnesses or describe the nature of their allegedly coerced testimony. Such a bare-bones allegation does not suggest his innocence.

We deny Mr. Jones’s motion for authorization to file another § 2254 application. This denial “shall not be appealable and shall not be the subject of a petition for rehearing or for a writ of certiorari.” § 2244(b)(3)(E).

Entered for the Court

A handwritten signature in black ink, appearing to read 'C. Wolpert', with a long horizontal stroke extending to the right.

CHRISTOPHER M. WOLPERT, Clerk