

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 06-1476

United States of America,

Appellee,

v.

Timothy C. Washington, etc.,

Appellant.

*
*
*
* Appeal from the United States
* District Court for the
* District of Nebraska.
*
* [UNPUBLISHED]
*

Submitted: December 27, 2006

Filed: January 10, 2007

Before SMITH, MAGILL, and BENTON, Circuit Judges.

PER CURIAM.

Timothy Washington appeals the district court's¹ dismissal of his Federal Rule of Civil Procedure 60(b) motion challenging a 2001 order denying 28 U.S.C. § 2255 relief. As the district court concluded--and contrary to Washington's position--his motion was in reality a successive section 2255 motion filed without authorization. Cf. Gonzalez v. Crosby, 125 S. Ct. 2641, 2647-48 (2005) (Rule 60(b) motion should not be treated as successive habeas motion if it attacks district court's previous resolution of claim on procedural grounds); United States v. Patton, 309 F.3d 1093,

¹The Honorable Warren K. Urbom, United States District Judge for the District of Nebraska.

1094 (8th Cir. 2002) (per curiam) (inmates may not bypass authorization requirement of § 2255 by purporting to invoke some other procedure). Thus, dismissal was proper. See Boyd v. United States, 304 F.3d 813, 814 (8th Cir. 2002) (per curiam). Accordingly, we affirm. See 8th Cir. R. 47B.
