

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

No. 15-60772

United States Court of Appeals
Fifth Circuit

FILED

January 21, 2016

Lyle W. Cayce
Clerk

In re: SHAWN BURTON,

Movant

Appeal from the United States District Court
for the Southern District of Mississippi
USDC No. 3:15-CV-724

Before JOLLY, DENNIS, and PRADO, Circuit Judges.

PER CURIAM:*

Shawn Burton, Mississippi prisoner # 82975, has filed a request for a certificate of appealability (COA), which we construe as a notice of appeal from the district court's order transferring Burton's second 28 U.S.C. § 2254 habeas application to this court, pursuant to 28 U.S.C. § 1631, and as a motion seeking authorization to file a successive § 2254 application.

The district court transferred Burton's § 2254 application challenging his robbery conviction to this court for a determination whether a successive application should be allowed. Burton has not met the requirements for filing a successive § 2254 application. *See* 28 U.S.C. § 2244(b).

Accordingly, leave to file a successive application is DENIED, and the transfer order is AFFIRMED. Burton's motion for a COA is DENIED as

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

No. 15-60772

unnecessary. *See United States v. Fulton*, 780 F.3d 683, 688 (5th Cir.), *cert. denied*, 136 S. Ct. 431 (2015).