

United States Court of Appeals  
for the Fifth Circuit

United States Court of Appeals  
Fifth Circuit

**FILED**

October 1, 2020

Lyle W. Cayce  
Clerk

---

No. 19-60841

---

JOSEPH DANIELS,

*Petitioner—Appellant,*

*versus*

BRAD HUFFMAN, *Warden*, CHICKASAW COUNTY REGIONAL  
CORRECTIONAL FACILITY,

*Respondent—Appellee.*

---

Appeal from the United States District Court  
for the Southern District of Mississippi  
USDC No. 3:19-CV-413

---

Before WILLETT, HO, and DUNCAN, *Circuit Judges*.

PER CURIAM:\*

Joseph Daniels, Mississippi prisoner # 81564, was convicted in 1996 of possession with the intent to distribute cocaine and sentenced to 30 years imprisonment. Daniels seeks a certificate of appealability (COA) on what he describes as the district court's denial of his 28 U.S.C. § 2254 habeas

---

\* Pursuant to 5TH CIRCUIT RULE 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIRCUIT RULE 47.5.4.

No. 19-60841

application. Daniels also asks for leave to proceed in forma pauperis (IFP) on appeal.

We lack jurisdiction because the order Daniels seeks to appeal actually was a denial by *this* court of authorization to file a successive § 2254 application and, thus, there is no live case or controversy for us to consider. *See United States Parole Comm'n v. Geraghty*, 445 U.S. 388, 395-96 (1980).

Daniels's appeal is DISMISSED for lack of jurisdiction. His motions for a COA and for leave to proceed IFP on appeal are likewise DENIED.