

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at KNOXVILLE

STEPHEN MICHAEL WEST,)	
)	
<i>Petitioner,</i>)	
)	
v.)	No.: 3:01-cv-91
)	(VARLAN/SHIRLEY)
RICKY BELL, WARDEN,)	
Riverbend Maximum Security Institution,)	DEATH PENALTY
)	EXECUTION SCHEDULED
<i>Respondent.</i>)	NOVEMBER 9, 2010

ORDER

Before the Court is Stephen Michael West's motion for relief from judgment filed pursuant to Rule 60(b) [Doc. 212]. In accordance with the accompanying memorandum, to the extent the submission is actually a Rule 60(b) motion it is **DENIED** and the Clerk is **DIRECTED** to **IMMEDIATELY** transfer this successive habeas corpus petition to the United States Court of Appeals for the Sixth Circuit, pursuant to 28 U.S.C. § 1631. *In re: Sims v. Terbush*, 111 F.3d 45, 47 (6th Cir. 1997). The Clerk **SHALL** notify the Sixth Circuit of the transfer and the approaching execution date.

IT IS SO ORDERED.

ENTER:

s/ Thomas A. Varlan
UNITED STATES DISTRICT JUDGE