

United States Court of Appeals
For the Eighth Circuit

No. 16-3187

Deandrea S. Gray

Petitioner

v.

United States of America

Respondent

On Application for Leave to File a Second
or Successive Motion Under 28 U.S.C. § 2255

Submitted: June 12, 2017

Filed: June 16, 2017

[Unpublished]

Before LOKEN, ARNOLD, and RILEY, Circuit Judges.

PER CURIAM.

Deandrea Gray has filed in this court an application for leave to file a second or successive 28 U.S.C. § 2255 motion. The government has filed a motion to dismiss Mr. Gray's application.

We note that in the case involving Mr. Gray's first section 2255 motion, this court has affirmed in part, reversed in part, and remanded for further proceedings. We now direct the clerk of this court to transfer to the United States District Court for the Western District of Missouri Mr. Gray's application for leave to file a second or successive section 2255 motion, to be filed in the district court as a motion to amend his first section 2255 motion. We further deny as moot the government's pending motion to dismiss. We express no opinion on the merits or timeliness of any filing by Mr. Gray or the government.
