

United States Court of Appeals

For the Seventh Circuit
Chicago, Illinois 60604

Submitted September 28, 2015
Decided October 20, 2015

Before

RICHARD A. POSNER, *Circuit Judge*

JOEL M. FLAUM, *Circuit Judge*

ANN CLAIRE WILLIAMS, *Circuit Judge*

No. 15-3153

CARL A. COURTRIGHT, III,
Applicant,
v.

On Motion for an Order Authorizing the
District Court to Entertain a Second or
Successive Motion for Collateral Review.

UNITED STATES OF AMERICA,
Respondent.

ORDER

Carl Courtright has filed an application pursuant to 28 U.S.C. § 2244(b)(3), seeking authorization to file a successive motion to vacate under § 2255. Courtright wants to challenge his sentence under *Johnson v. United States*, 135 S. Ct. 2551 (2015), which held that the residual clause of the ACCA is unconstitutionally vague. But, although Courtright was sentenced as a recidivist, he was not sentenced under the ACCA or any other provision with a residual clause. Instead, he was sentenced under 18 U.S.C. §§ 3559(e)(1) and 2260A, neither of which is in any way vague. See § 3559(e)(1) ("A person who is convicted of a Federal sex offense in which a minor is the victim shall be sentenced to life imprisonment if the person has a prior sex conviction in which a minor was the victim, unless the sentence of death is imposed."); § 2260A ("Whoever, being required by Federal or other law to register as a sex offender, commits a felony offense involving a minor . . . shall be sentenced to a term of imprisonment of ten years in

addition to the imprisonment imposed for the offense."). Courtright cannot make a *prima facie* showing that he may be entitled to any relief under *Johnson*.

Accordingly, we **DENY** authorization and **DISMISS** Courtright's application.

United States Court of Appeals

For the Seventh Circuit
Chicago, Illinois 60604

Submitted June 16, 2016

Decided July 18, 2016

Before

WILLIAM J. BAUER, *Circuit Judge*

ANN-CLAIREE WILLIAMS, *Circuit Judge*

DAVID F. HAMILTON, *Circuit Judge*

Received
7/25/16
Fwd to 280551745
Fwd to 280551745

No. 16-2500

CARL COURTRIGHT, III,
Applicant,

v.

On Motion for an Order Authorizing the
District Court to Entertain a Second or
Successive Motion for Collateral Review.

UNITED STATES OF AMERICA,
Respondent.

ORDER

This is Carl Courtright's third application pursuant to 28 U.S.C. § 2244(b)(3), seeking authorization to file a successive motion to vacate under § 2255. He again proposes a claim under *Johnson v. United States*, 135 S. Ct. 2551 (2015). See No. 16-1794 (May 9, 2016); No. 15-3153 (Oct. 20, 2015). As we informed Courtright in the order denying his second application, § 2244(b)(1) prohibits authorization. Accordingly, we DENY authorization.

Additionally, we have cautioned Courtright that his continued submission of frivolous papers would result in a sanction. This submission is frivolous and we therefore impose the following SANCTION:

Courtright is fined \$500. Until he pays that sum in full to the clerk of this court, he is barred from filing further civil suits in the courts of this circuit in accordance with *Support Sys. Int'l v. Mack*, 45 F.3d 185 (7th Cir. 1995), and any papers he submits will be returned unfiled. Moreover, any papers he submits attacking his current criminal conviction, including future collateral attacks, will also be returned unfiled. Finally, any applications for leave to file collateral attacks will be deemed denied 30 days after filing unless the court orders otherwise. *Alexander v. United States*, 121 F.3d 312 (7th Cir. 1997).

The application is **DISMISSED**.

**Additional material
from this filing is
available in the
Clerk's Office.**