



United States Court of Appeals for the Fifth Circuit

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Attest: *Lyle W. Cayce*
Clerk, U.S. Court of Appeals, Fifth Circuit

No. 21-30552

United States Court of Appeals
Fifth Circuit

FILED

March 2, 2022

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff—Appellee,

versus

SHANE JEANSONNE,

Defendant—Appellant.

Application for Certificate of Appealability from the
United States District Court for the Western District of Louisiana
USDC No. 1:18-CV-1623
USDC No. 1:17-CR-267

ORDER:

Shane Jeansonne, federal prisoner # 20357-035, moves for a certificate of appealability (COA) from the dismissal of his 28 U.S.C. § 2255 motion for lack of jurisdiction as an unauthorized second or successive motion. Jeansonne is serving a 97-month sentence for possession of child pornography. Jeansonne asserts that the motion was not successive because a prior dismissal under Federal Rule of Civil Procedure 41(b) can have no preclusive effect.


To obtain a COA, Jeansonne must make “a substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2); *see Slack v.*

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McDaniel, 529 U.S. 473, 484 (2000). He can do that by showing “that jurists of reason would find it debatable whether the petition states a valid claim of the denial of a constitutional right and that jurists of reason would find it debatable whether the district court was correct in its procedural ruling.” *Slack*, 529 U.S. at 484.

Jeansonne fails to show make this showing. *See id.* Because he does not make “a substantial showing of the denial of a constitutional right,” his motion for a COA is DENIED. § 2253(c)(2).

Jeansonne is WARNED that the further filing of repetitive and frivolous pleadings attacking his conviction or sentence may result in the imposition of sanctions, including dismissal, monetary sanctions, and limits on his ability to file pleadings in this court and any court subject to this court’s jurisdiction.



KURT D. ENGELHARDT
United States Circuit Judge

United States Court of Appeals
for the Fifth Circuit

No. 21-30552

United States Court of Appeals
Fifth Circuit

FILED

March 17, 2022

UNITED STATES OF AMERICA,

Lyle W. Cayce
Clerk

Plaintiff—Appellee,

versus

SHANE JEANSONNE,

Defendant—Appellant.

Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 1:18-CV-1623

Before JONES, DUNCAN, and ENGELHARDT, *Circuit Judges.*

PER CURIAM:

A member of this panel previously DENIED Appellant's motion for a certificate of appealability. The panel has considered Appellant's motion for reconsideration of the March 2, 2022 order.

IT IS ORDERED that the motion is DENIED.

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