

NOT FOR PUBLICATION

In the
United States Court of Appeals
For the Eleventh Circuit

No. 25-14287
Non-Argument Calendar

JAMES JOHN EDWARDS,

Petitioner-Appellant,

versus

UNITED STATES OF AMERICA,

Respondent-Appellee.

Appeal from the United States District Court
for the Middle District of Florida
D.C. Docket Nos. 6:22-cv-00350-RBD-DCI,
6:19-cr-00047-RBD-DCI-1

Before WILLIAM PRYOR, Chief Judge, and ROSENBAUM and GRANT,
Circuit Judges.

PER CURIAM:

James Edwards, a federal prisoner, appeals the dismissal of his motion for relief from judgment, FED. R. CIV. P. 60(b)(6), as an unauthorized successive motion to vacate his sentence. *See* 28 U.S.C. §§ 2244(b)(3)(A), 2255(h). We affirm.

We review *de novo* whether a motion is second or successive. *See Farris v. United States*, 333 F.3d 1211, 1216 (11th Cir. 2003). Rule 60(b) may not be used to circumvent the prohibition of filing a successive motion without permission from this Court. *See Gonzalez v. Crosby*, 545 U.S. 524, 532 (2005). A motion is successive if it “attacks the federal court’s previous resolution of a claim on the merits.” *Id.* It is not successive if it attacks “some defect in the integrity of the federal habeas proceedings.” *Id.* “[A]n attack based on the movant’s own conduct, or his habeas counsel’s omissions, . . . ordinarily does not go to the integrity of the proceedings, but in effect asks for a second chance to have the merits determined favorably.” *Id.* n.5.

The district court did not err by dismissing Edwards’s motion as successive. The district court denied Edwards’s initial motion to vacate on the merits. Edwards’s second motion did not attack the integrity of his prior proceeding but sought instead to re-litigate the merits of his rejected claims by arguing that he would have been able to present them better if he had the assistance of more competent habeas counsel. *See Gonzalez*, 545 U.S. at 532. And because he did not obtain permission from this Court to file a successive motion, the district court lacked jurisdiction to consider it. *See Farris*, 333 F.3d at 1216.

AFFIRMED.