

United States Court of Appeals
For the Seventh Circuit
Chicago, Illinois 60604

Submitted August 19, 2021
Decided August 26, 2021

Before

DIANE P. WOOD, *Circuit Judge*

DAVID F. HAMILTON, *Circuit Judge*

No. 21-1630

DYTANIEL MCBRIDE,
Petitioner-Appellant,

Appeal from the United States District
Court for the Central District of Illinois.

No. 1:15-cv-01069-JES

v.

UNITED STATES OF AMERICA,
Respondent-Appellee.

James E. Shadid,
Judge.

ORDER

Dytaniel McBride has filed a notice of appeal from the denial of his successive motion under 28 U.S.C. § 2255, which we construe as a request for a certificate of appealability. This court has reviewed the final order of the district court and the record on appeal. We find no substantial showing of the denial of a constitutional right. *See* 28 U.S.C. § 2253(c)(2).

Accordingly, the request for a certificate of appealability is **DENIED**. McBride's motion to proceed on appeal in forma pauperis is also **DENIED**.

Furthermore, we previously warned that a sanction would issue if McBride continued to frivolously litigate. Despite the warning, McBride again attempted to reopen § 2255 proceedings. We therefore impose the following sanction:

McBride is fined \$500. Until he pays that sum in full to the clerk of this court, any collateral attack on his convictions from 2012 that he submits to any federal court of this circuit will be returned unfiled. Any applications for leave to file successive collateral attacks on these convictions will be deemed denied 30 days after filing unless the court orders otherwise. *See Alexander v. United States*, 121 F.3d 312 (7th Cir. 1997).