



When Bonty filed his notice of appeal on September 18, 2006, this Court lost the power to issue any rulings on the *merits* of Bonty's § 2255 petition, since Bonty was challenging (in the higher Court) the undersigned Judge's handling of the § 2255 petition. "The filing of a notice of appeal is an event of jurisdictional significance - it confers jurisdiction on the court of appeals and divests the district court of its control over those aspects of the case involved in the appeal." *Wisconsin Mut. Ins. Co. v. United States*, 441 F.3d 502, 504 (7<sup>th</sup> Cir. 2006), *citing Griggs v. Provident Consumer Discount Co.*, 459 U.S. 56, 58 (1982). *Accord Kusay v. United States*, 62 F.3d 192, 193 (7<sup>th</sup> Cir. 1995).

Stated more simply, the filing of the notice of appeal "shifts control over the issues on appeal to the appellate court," at which point the district court loses the power to alter the ruling taken up on appeal. *See Brenner v. C.F.T.C.*, 338 F.3d 713, 722 (7<sup>th</sup> Cir. 2003). This reduces the chance for conflict among tribunals (different rulings from two courts handling the same issue at the same time) and prevents "the waste of time and money that occurs if the district court changes a judgment after an appeal...." *Wisconsin Mut. Ins. Co.*, 441 F.3d at 504.

Accordingly, the Court DENIES FOR LACK OF SUBJECT MATTER JURISDICTION Bonty's April 19, 2007 motion for relief from judgment (Doc. 27).

IT IS SO ORDERED.

DATED this 27th day of April 2007.

s/ Michael J. Reagan \_\_\_\_\_  
MICHAEL J. REAGAN  
United States District Court