

No. 4:12CV2238 HEA

Under § 2255, a prisoner may attack his sentence on the basis that it is (1) unconstitutional, (2) in violation of the laws of the United States, (3) the court lacked jurisdiction to imposed the sentence, (4) the sentence was in excess of the maximum authorized by law, or (5) otherwise subject to collateral attack. The ground raised by movant does not fall under any of these categories. As a result, movant's requested relief is not cognizable in § 2255 proceedings.

Furthermore, movant has failed to make a substantial showing of a denial of a constitutional right, and the Court will not issue a certificate of appealability.

Accordingly,

IT IS HEREBY ORDERED that this action is **DISMISSED**.

An Order of Dismissal will be filed with this Memorandum and Order.

Dated this 11th day of December, 2012.

A handwritten signature in dark ink, appearing to read "Henry Edward Autrey", is written over a horizontal line.

HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE