

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:14-cv-00483-FDW  
(3:11-cr-00403-FDW-2)

JAMES POWELL, )  
 )  
 Petitioner, )  
 )  
 v. )  
 )  
 UNITED STATES OF AMERICA, )  
 )  
 Respondent. )  
 \_\_\_\_\_ )

**ORDER**

**THIS MATTER** is before the Court on Petitioner's pro se motion for a certificate of appealability.

On November 26, 2014, the Court entered an order denying and dismissing Petitioner's § 2255 motion to vacate his criminal judgment following an initial review, and the Court denied a certificate of appealability. Petitioner appealed and the Fourth Circuit dismissed his appeal and likewise denied a certificate of appealability. See United States v. Powell, No. 15-6120, 2015 U.S. App. LEXIS 6582 (4th Cir. Apr. 21, 2015). Petitioner's present motion for a certificate of appealability will be dismissed as moot.

**IT IS, THEREFORE, ORDERED** that Petitioner's motion for a certificate of appealability will be **DISMISSED as moot**. (Doc. No. 8).

**IT IS SO ORDERED.**

Signed: April 22, 2015



Frank D. Whitney  
Chief United States District Judge

