

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
5:13-CV-00161-RLV
(5:97-CR-00001-RLV-1)

SEAN LAMONT DUDLEY,)
)
 Petitioner,)
)
 v.)
)
 UNITED STATES OF AMERICA,)
)
 Respondent.)
 _____)

ORDER

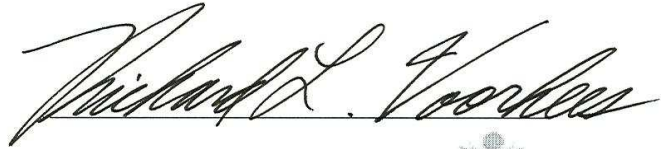
THIS MATTER is before the Court on consideration of Petitioner’s motion to reconsider the Court’s Order dismissing his motion for relief as being an unauthorized, successive motion to vacate, set aside or correct sentence under 28 U.S.C. § 2255(h). For the reasons stated in the Court’s Order of dismissal on January 16, 2014, which findings and conclusions are incorporated herein by reference, Petitioner’s motion to reconsider will be denied.

IT IS, THEREFORE, ORDERED that Petitioner’s motion to reconsider is **DENIED**. (Doc. No. 4).

IT IS FURTHER ORDERED that pursuant to Rule 11(a) of the Rules Governing Section 2255 Cases, this Court declines to issue a certificate of appealability as Petitioner has not made a substantial showing of a denial of a constitutional right. 28 U.S.C. § 2253(c)(2); Miller-El v. Cockrell, 537 U.S. 322, 336-38 (2003) (stating that in order to satisfy § 2253(c), a petitioner must demonstrate that reasonable jurists would find the district court’s assessment of the constitutional claims debatable or wrong); Slack v. McDaniel, 529 U.S. 474, 484 (2000)

(holding that when relief is denied on procedural grounds, a petitioner must establish both that the correctness of the dispositive procedural ruling is debatable and that the petition states a debatably valid claim of the denial of a constitutional right).

Signed: February 3, 2014

A handwritten signature in black ink, reading "Richard L. Voorhees". The signature is written in a cursive style with a horizontal line underneath the name.

Richard L. Voorhees
United States District Judge

