



(4:19CV947)

Accordingly, the Government's motion to dismiss is granted for lack of jurisdiction. [ECF No. 9](#).

The Court certifies, pursuant to [28 U.S.C. § 1915\(a\)\(3\)](#), that an appeal from this decision could not be taken in good faith, and that there is no basis upon which to issue a certificate of appealability. [28 U.S.C. § 2253\(c\)](#); [Fed. R. App. P. 22\(b\)](#).

IT IS SO ORDERED.

August 5, 2019  
Date

/s/ Benita Y. Pearson  
Benita Y. Pearson  
United States District Judge