IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOHN KEYS, Petitioner,	:
v.	: CIVIL ACTION NO. 12-CV-2618
THE ATTORNEY GENERAL OF THE	:
STATE OF PENNSYLVAINA, et al., Respondents.	:
	ORDER

AND NOW, this 28th day of December 2022, upon consideration of Petitioner John

Keys' Motion for Relief from Judgment Under Fed. R. Civ. P. 60(b) [ECF No. 43], it is hereby

ORDERED that:

1. The Motion is **DISMISSED** for lack of subject matter jurisdiction without

prejudice to Petitioner's right to file with the United States Court of Appeals for the Third Circuit

an application to file a second or successive habeas petition. See 28 U.S.C. § 2244(b)(3)(A).

2. A Certificate of Appealability is **DENIED** pursuant to 28 U.S.C. § 2253(c)

because reasonable jurists would not debate the propriety of this Court's procedural ruling with respect to these claims. *See Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

espect to these claims. See Stack V. McDunter, 525 0.5. 475.

It is so **ORDERED**.

BY THE COURT:

/s/ Cynthia M. Rufe

CYNTHIA M. RUFE, J.