

UNITED STATES DISTRICT COURT  
 MIDDLE DISTRICT OF TENNESSEE  
 NASHVILLE DIVISION

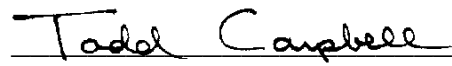
ROBERT WAYNE DEMONBREUM	]	
Movant,	]	
	]	No. 3:10-0568
v.	]	(Crim. No. 3:02-00130)
	]	Judge Campbell
UNITED STATES OF AMERICA	]	
Respondent.	]	

O R D E R

In accordance with the Memorandum contemporaneously entered, the Court finds merit in the government’s Motion to Dismiss (Docket Entry Nos.11,13). Therefore, movant’s § 2255 Motion to Vacate, Set Aside or Correct Sentence (Docket Entry No.1) is DENIED and this action is hereby DISMISSED. Rule 8(a), Rules -- § 2255 Cases.

Should the movant file a timely notice of appeal from this order, such notice shall be treated as an application for a certificate of appealability, 28 U.S.C. § 2253(c), which will NOT issue because the movant has failed to make a substantial showing of the denial of a constitutional right.

It is so ORDERED.

  
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 Todd Campbell  
 United States District Judge