

2. It is hereby **ORDERED** that Plaintiff's 28 U.S.C. § 2255 Motion (Docket No. 1) is **DENIED**.
3. Should the Defendant file an appeal, a certificate of appealability shall not issue.

/s/ George Z. Singal
United States District Judge

Dated this 23rd day of July, 2009.

Petitioner

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