

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

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|---------------------------|---|------------------|
| MICHAEL SMITH, |) | |
| |) | |
| Petitioner, |) | |
| |) | CIVIL ACTION NO. |
| v. |) | 2:17cv270-MHT |
| |) | (WO) |
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Respondent. |) | |

ORDER

This cause is now before the court on petitioner's notice of appeal (doc. no. 28), which the court is treating as a motion for certificate of appealability.

To obtain a certificate of appealability the prisoner must make a "substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2). The court finds that the petitioner has failed to make this showing.

Accordingly, it is ORDERED that petitioner's motion for a certificate of appealability is denied.

DONE, this the 13th day of July, 2020.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE