IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION

MONTREAL O'NEAL HUDSON **MOVANT**

v. **No. 3:24CR5-MPM-RP**

UNITED STATES OF AMERICA **RESPONDENT**

CERTIFICATE OF APPEALABILITY

A notice of appeal has been filed in the above captioned case from either the final order in a *habeas corpus* proceeding in which the detention complained of arises out of process issued by a state court under 28 U.S.C. § 2254 or the final order in a proceeding under 28 U.S.C. § 2255.[1] The court, considering the record in the case and the requirements of Fed. R. Civ. P. 22(b) and 28 U.S.C. § 2253(c), finds that **a certificate of appealability should not issue.**

For the reasons stated in the opinion, the court finds that the Petitioner has failed to "demonstrate that the issues are debatable among jurists of reason; that a court could resolve issues in a different manner; or that the questions are adequate to deserve encouragement to proceed further." *Barefoot v. Estelle*, 463 U.S. 880, 893 n.4, 103 S.Ct. 3383, 3394 n.4, 77 L.Ed.2d 1090 (1993) (superceded by statute) (citations and quotations omitted); 28 U.S.C. § 2253(1) and (2). Specifically, the court finds, for the reasons set forth in its memorandum opinion and final judgment, that Mr. Hudson's motion [166] to stay execution of his sentence pending resolution of the instant motion to vacate, set aside, or correct sentence under 28 U.S.C. § 2255.

SO ORDERED, this, the 11th day of March, 2026.

/s/ Michael P. Mills
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF MISSISSIPPI

[1] The final order in this case is the court's denial [172] of the Movant's motion [166] to stay execution of his sentence pending resolution of the instant motion to vacate, set aside, or correct sentence under 28 U.S.C. § 2255.