

November 13, 2017

UNITED STATES COURT OF APPEALS
TENTH CIRCUIT

Elisabeth A. Shumaker
Clerk of Court

JOHN PATRICK FLETCHER,

Petitioner - Appellant,

v.

JASON LENGERICH, BVCF Warden;
THE ATTORNEY GENERAL OF
THE STATE OF COLORADO,

Respondents - Appellees.

No. 17-1288
(D.C. No. 1:17-CV-01022-LTB)
(D. Colo.)

ORDER DENYING CERTIFICATE OF APPEALABILITY*

Before **LUCERO, BALDOCK, and MORITZ**, Circuit Judges.

Petitioner John Patrick Fletcher, a Colorado state prisoner appearing pro se, seeks a certificate of appealability (COA) to appeal the district court's denial of his petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. *See* 28 U.S.C. § 2253(c)(1)(A). In a written order, the district court denied the motion as time-barred under § 2244(d)(1). Because Petitioner has not shown "that jurists of reason would find it debatable whether the petition states a valid claim of the denial of a constitutional right and that jurists of reason would find it debatable whether the

* This order and judgment is not binding precedent except under the doctrines of law of the case, res judicata, and collateral estoppel. It may be cited, however, for its persuasive value consistent with Fed. R. App. P. 32.1 and 10th Cir. R. 32.1.

district court was correct in its procedural ruling,” we summarily deny Petitioner a COA and dismiss his appeal. *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

We need not detail Petitioner’s arguments challenging application of §2244(d)(1)’s one-year limitation period to his petition. Suffice to say we have carefully reviewed his “Combined Opening Brief and Application for a Certificate of Appealability,” the record on appeal, and the district court’s written order denying his petition as time-barred. Based on our review, we conclude the district court accurately analyzed the statute of limitations issue and properly dismissed the petition. Where the district court accurately analyzes an issue and articulates a cogent rationale, we see no useful purpose in writing at length. Thus, we reject Petitioner’s argument that his petition for a writ of habeas corpus is timely substantially for the reasons set forth in the district court’s written order which ably explains why Petitioner is not entitled to a COA.

COA DENIED; APPEAL DISMISSED. Motion for IFP DENIED as moot

Entered for the Court,

Bobby R. Baldock
United States Circuit Judge