

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

United States Court of Appeals  
Fifth Circuit

**FILED**

March 9, 2010

Charles R. Fulbruge III  
Clerk

\_\_\_\_\_  
No. 09-70010  
\_\_\_\_\_

TIMOTHY WAYNE ADAMS,

Petitioner - Appellant

v.

RICK THALER, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL JUSTICE,  
CORRECTIONAL INSTITUTIONS DIVISION,

Respondent - Appellee

\_\_\_\_\_  
Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 4:08-CV-1216  
\_\_\_\_\_

Before HIGGINBOTHAM, OWEN, and ELROD, Circuit Judges.

PER CURIAM:\*

After reviewing the record, we conclude that Adams has failed to make a substantial showing of the denial of a constitutional right, and – for essentially the reasons stated by the district court – we DENY his request for a certificate of appealability (COA) on all issues raised therein.

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\* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.