

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

PATRICK JOSEPH CHAREST, :
AIS 182262, :

Petitioner, :

vs. :

CA 10-0067-CG-C

BILLY MITCHEM, :

Respondent. :

JUDGMENT

In accordance with the order entered on this date, it is hereby **ORDERED**, **ADJUDGED**, and **DECREED** that the present habeas corpus petition, filed pursuant to 28 U.S.C. § 2254, be dismissed with prejudice due to petitioner's failure to comply with 28 U.S.C. § 2244(b)(3)(A). Charest is not entitled to a certificate of appealability and, therefore, he is not entitled to appeal *in forma pauperis*.

DONE and **ORDERED** this 8th day of June, 2010.

/s/ Callie V. S. Granade

UNITED STATES DISTRICT JUDGE