

1 the Court's dismissal of Claim 7 on procedural grounds and that the issues involved are not
2 adequate to deserve encouragement to proceed further.

3 Accordingly,

4 **IT IS HEREBY ORDERED** that Petitioner's motion for a certificate of appealability
5 (Dkt. 104) is **denied**.

6 DATED this 10th day of August, 2009.

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10 Robert C. Broomfield
11 Senior United States District Judge
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