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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Kenneth James Kanger,)	No. 07-CV-8094-PCT-PGR (MHB)
)	
Petitioner,)	
v.)	ORDER
)	
Charles L. Ryan, et. al.,)	
)	
Respondents.)	

On September 19, 2011, the Court denied Petitioner’s Motion for Relief from a Judgment/Order under Rule 60(b) on the grounds that the motion constituted a second or successive petition and was untimely. (Doc. 97.) On November 4, 2011, the Court of Appeals remanded the case “for the limited purpose of granting or denying a certificate of appealability” under 28 U.S.C. § 2253(c). (Doc. 105.)


Accordingly,

IT IS HERE BY ORDERED DENYING a certificate of appealability. The Court finds that Petitioner has not made a substantial showing of the denial of a constitutional right.

IT IS FURTHER ORDERED that the Clerk of the Court forward this Order and the case record to the Ninth Circuit Court of Appeals.

IT IS FURTHER ORDERED that defendant's letter for extension of time to appeal (Doc. 99), which the Court has construed as a motion, is denied as moot.

DATED this 7th day of November, 2011.



Paul G. Rosenblatt
United States District Judge