

**THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
EASTERN DIVISION**

THOMAS HAROLD STIGER,
Reg #39053-115

Petitioner

v.

ANTHONY HAYNES, Warden,
FCI - Forrest City

Respondent

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No. 2:13CV00025-SWW-JJV

ORDER

By order and judgment entered July 31, 2013, the Court dismissed this action brought pursuant to 28 U.S.C. § 2241, and on October 7, 2013, the Court denied Petitioner’s motion for reconsideration. On September 13, 2013, Petitioner filed a notice of appeal, and on November 3, 2013, the Clerk’s office administratively entered a motion for a certificate of appealability. In this case, the question of whether a certificate of appealability should be granted need not be answered because such certificates are not required in habeas corpus cases brought solely under 28 U.S.C. 2241. *See* 28 U.S.C. § 2253 (requiring a certificate of appealability from final order in a habeas proceeding in which detention arises from state court process or a final order in a proceeding under § 2255); *see also Lindstrom v. Graber*, 203 F.3d 470, 473 (7th Cir.2000). In any event, a certificate of appealability is denied because Petitioner has not made a substantial showing of the denial of a constitutional right.

IT IS SO ORDERED THIS 4TH DAY OF NOVEMBER, 2013.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE