

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

**ANTONIO LENOIR
ADC # 116451**

PETITIONER

V.

NO. 5:03CV0006

**LARRY NORRIS, Director
Arkansas Department of Corrections**

RESPONDENT

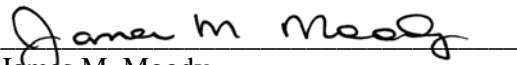
ORDER

Pending are Petitioner's motion for leave to proceed *in forma pauperis*, docket # 22 and motion for certificate of appealability, docket # 23. Petitioner's Petition for Writ of Habeas Corpus under 28 U.S.C. § 2254 was denied and judgment was entered on July 19, 2004. Petitioner now seeks a certificate of appealability under Rule 22(b) of the Federal Rules of Appellate Procedure and 28 U.S.C. § 2253(c).

In order for this Court to grant a certificate of appealability, the petitioner must make a "substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2); *Tiedeman v. Benson*, 122 F.3d 518 (8th Cir. 1997). Granting a certificate of appealability requires a demonstration that "a reasonable jurist" would find the district court ruling on the constitutional claim "debatable or wrong." *Tennard v. Dretke*, 542 U.S. 274, 282 (2004).

In this case, Petitioner has failed to make such a substantial showing of the denial of a constitutional right. Accordingly, for the reasons previously stated in the order dismissing Petitioner's petition, the motion for certificate of appealability is denied and Petitioner's motion for leave to proceed *in forma pauperis* is moot.

IT IS SO ORDERED this 3rd day of May, 2012.


James M. Moody
United States District Judge