

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

**JOE EDWIN CLEM  
ADC # 120839**

**PETITIONER**

**v.**

**No. 5:11-cv-235-DPM**

**RAY HOBBS, Director, Arkansas  
Department of Correction**

**RESPONDENT**

**ORDER**

Clem's motion for certificate of appealability, *Document No. 18*, is denied. 28 U.S.C. § 2253(c). Because the Court denied Clem's petition on procedural grounds, Clem must show "that jurists of reason would find it debatable whether the petition states a valid claim of the denial of a constitutional right *and* that jurists of reason would find it debatable whether the district court was correct in its procedural ruling." *Slack v. McDaniel*, 529 U.S. 473, 484 (2000) (emphasis added). Clem has addressed only the latter element in his motion. *Document No. 18*, at 3–4. The motion, *Document No. 18*, is therefore denied. *Slack*, 529 U.S. at 485 (requiring that both showings be made before the Court of Appeals may entertain the appeal). Moreover, the Court sees no debatable issue about the standard of review applied here.

So Ordered.

*D.P. Marshall Jr.*

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D.P. Marshall Jr.  
United States District Judge

*19 July 2012*