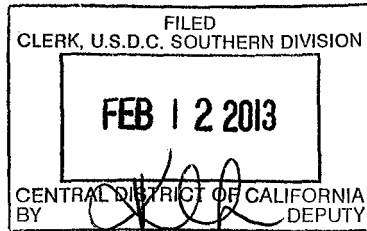


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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

<p>JOFAMA COLEMAN,</p> <p style="padding-left: 100px;">Petitioner,</p> <p style="text-align: center;">vs.</p> <p>KATHLEEN ALLISON, Acting Warden,</p> <p style="padding-left: 100px;">Respondent.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>Case No. CV 10-2343-AHM (RNB)</p> <p>ORDER ACCEPTING FINDINGS AND RECOMMENDATIONS OF UNITED STATES MAGISTRATE JUDGE WITH RESPECT TO GROUNDS 1-9 OF AMENDED PETITION, AND DENYING PETITIONER’S REQUEST FOR A CERTIFICATE OF APPEALABILITY WITH RESPECT TO THOSE GROUNDS</p>
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Pursuant to 28 U.S.C. § 636, the Court has reviewed the operative Amended Petition, the records on file herein, and the Partial Report and Recommendation of the United States Magistrate Judge. Objections to the Partial Report and Recommendation have been filed by petitioner, and the Court has made a *de novo* determination of those portions of the Partial Report and Recommendation to which objections have been made. For the reasons stated in the Partial Report and Recommendation, the Court accepts the findings and recommendations of the Magistrate Judge.


IT THEREFORE IS ORDERED that (1) insofar as they relate to Grounds 1-9 of the Amended Petition, petitioner’s Motion to Expand the Record and his request for an evidentiary hearing are denied; and (2) Grounds 1-9 of the Amended Petition are denied.

1 In conjunction with his objections to the Partial Report and Recommendation,
2 petitioner has requested that the Court issue a Certificate of Appealability (“COA”)
3 with respect to 12 issues relating to the Partial Report and Recommendation.
4 Although the Court’s Order accepting the findings and recommendations in the
5 Magistrate Judge’s Partial Report and Recommendation is not a final appealable
6 order, the Court has decided to address petitioner’s COA request at this time.

7 Under 28 U.S.C. § 2253(c)(2), a COA may issue “only if the applicant has
8 made a substantial showing of the denial of a constitutional right.” The Supreme
9 Court has held that this standard means a showing that “reasonable jurists could
10 debate whether (or, for that matter, agree that) the petition should have been resolved
11 in a different manner or that the issues presented were adequate to deserve
12 encouragement to proceed further.” See Slack v. McDaniel, 529 U.S. 473, 483-84,
13 120 S. Ct. 1595, 146 L. Ed. 2d 542 (2000) (internal quotation marks omitted).

14 Here, after duly considering petitioner’s objections to the Partial Report and
15 Recommendation and his contentions in support of his COA request, the Court finds
16 and concludes that petitioner has not made the requisite showing with respect to any
17 of the issues for which a COA is sought. Accordingly, petitioner’s COA request is
18 denied.

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20 DATED: February 7, 2013

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23 A. HOWARD MATZ
24 UNITED STATES DISTRICT JUDGE
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