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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
10 WESTERN DIVISION
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12 RAY RONNIE GOVEA,) No. CV 11-03396-CAS (VBK)
)
 13) Petitioner,) ORDER ACCEPTING FINDINGS AND
)) RECOMMENDATIONS OF UNITED STATES
 14) v.) MAGISTRATE JUDGE
))
 15) ROBERT TRIMBLE,)
))
 16) Respondent.)
))
 17 _____)

18 Pursuant to 28 U.S.C. §636, the Court has reviewed the Third
 19 Amended Petition for Writ of Habeas Corpus ("Third Amended Petition"),
 20 the records and files herein, and the Report and Recommendation of the
 21 United States Magistrate Judge ("Report"). Further, the Court has
 22 engaged in de novo review of those portions of the Report to which
 23 Petitioner has objected.

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1 **IT IS ORDERED** that: (1) the Court accepts the findings and
2 recommendations of the Magistrate Judge, and (2) the Court declines to
3 issue a Certificate of Appealability ("COA").¹

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5 DATED: November 4, 2014

CHRISTINA A. SNYDER
UNITED STATES DISTRICT JUDGE

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21 ¹ Under 28 U.S.C. §2253(c)(2), a COA may issue "only if the
22 applicant has made a substantial showing of the denial of a
23 constitutional right." The Supreme Court has held that, to obtain a
24 Certificate of Appealability under §2253(c), a habeas petitioner must
25 show that "reasonable jurists could debate whether (or, for that
26 matter, agree that) the petition should have been resolved in a
27 different manner or that the issues presented were 'adequate to
28 deserve encouragement to proceed further.'" Slack v. McDaniel, 529
U.S. 473, 483-84, 120 S.Ct. 1595 (2000)(internal quotation marks
omitted); see also Miller-El v. Cockrell, 537 U.S. 322, 336, 123 S.Ct.
1029 (2003). After review of Petitioner's contentions herein, this
Court concludes that Petitioner has not made a substantial showing of
the denial of a constitutional right, as is required to support the
issuance of a COA.