2. Judgment by entered denying the Petition and dismissing this action with prejudice; and

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Doc. 35

The Clerk serve copies of this Order on the parties. 3.

Additionally, for the reasons stated in the Report and Recommendation, the Court finds that Petitioner has not made a substantial showing of the denial of a constitutional right. 1 Thus, the Court declines to issue a certificate of appealability.

DATED: June 03, 2015

HONORABLE R. GARY KLAUSNER UNITED STATES DISTRICT JUDGE

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<sup>&</sup>lt;sup>1</sup> See 28 U.S.C. § 2253; Fed. R. App. P. 22(b); Miller-El v. Cockrell, 537 U.S. 322, 336, 123 S. Ct. 1029, 154 L. Ed. 2d 931 (2003).