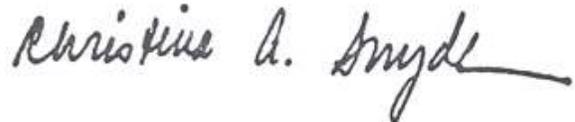


1 In addition, pursuant to Rule 11(a) of the Rules Governing Section
2 2254 Cases in the United States District Courts, the Court has
3 considered whether a certificate of appealability is warranted in this
4 case. See 28 U.S.C. § 2253(c)(2); Slack v. McDaniel, 529 U.S. 473, 484-
5 85, 120 S. Ct. 1595, 1604 (2000). The Court concludes that a
6 certificate of appealability is unwarranted, and thus, a certificate of
7 appealability is DENIED.

8
9 IT IS FURTHER ORDERED that the Clerk shall serve copies of this
10 Order and the Judgment herein on the parties.

11
12 LET JUDGMENT BE ENTERED ACCORDINGLY.

13
14 DATED: October 1, 2012.



15
16
17 _____
CHRISTINA A. SNYDER
UNITED STATES DISTRICT JUDGE