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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

BILLY COY COCHRAN,

Petitioner,

v.

MATTHEW KRAMER, Warden

Respondent.

No. C 06-0909 CRB

**ORDER DENYING
CERTIFICATE OF
APPEALABILITY**

On January 25, 2010, this Court granted Petitioner’s habeas petition as to one of nine asserted grounds. Petitioner has now filed a Request for Certificate of Appealability under 28 U.S.C. § 2253(c) and Federal Rule of Appellate Procedure 22(b).

A certificate of appealability is DENIED because Petitioner has not made “a substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2). Petitioner has not demonstrated that “reasonable jurists would find the district court’s assessment of the constitutional claims debatable or wrong.” Slack v. McDaniel, 529 U.S. 473, 484 (2000).

The clerk shall forward to the court of appeals the case file with this Order.

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1 See United States v. Asrar, 116 F.3d 1268, 1270 (9th Cir. 1997).

2 IT IS SO ORDERED.

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4 DATED: February 16, 2010



5 CHARLES R. BREYER
6 United States District Judge

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