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

THOMAS EARL EVANS,
Petitioner,
vs.
JAMES E. TILTON,
Respondent.

1:07-cv-00678-AWI-DLB (HC)
ORDER DISREGARDING MOTION FOR
EXTENSION OF TIME TO FILE
CERTIFICATE OF APPEALABILITY AND
DENYING MOTION FOR COPY OF
TRANSCRIPTS
[Docs. 46, 47]

_____ /

On February 17, 2009, the instant petition for writ of habeas corpus filed pursuant to 28 U.S.C. § 2254 was denied and judgment was entered in favor of Respondent. (Court Docs. 44, 45.) The Court declined to issue a certificate of appealability. (Court Doc. 44, at p.2.)

On March 20, 2009, Petitioner filed a notice of appeal, motion for an extension of time to file an application for a certificate of appealability, and motion for a copy of the transcripts. (Court Docs. 46, 47, 48.)

I. Motion for Certificate of Appealability

Petitioner requests an extension of time to file an application for a certificate of appealability. (Court Doc. 32.) However, Petitioner is advised that this Court has previously determined that a certificate of appealability shall not be issued, as it was determined that “reasonable jurists would not find it debatable that the state courts’ decision denying Petitioner’s petition for writ of habeas corpus were not ‘objectively unreasonable.’” (Id. at p.20.)

