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

RALPH WILLIAM CAMPOS,)
)
 Petitioner,)
)
 v.)
)
 JAMES A. YATES,)
)
 Respondent.)
 _____)
 _____)

1:07-cv-01388-OWW-BAK-SMS-
HC
ORDER DENYING AS MOOT
PETITIONER' S MOTION FOR
EXTENSION OF TIME FOR
REQUESTING ISSUANCE OF A
CERTIFICATE OF
APPEALABILITY (Doc. 21)

Petitioner is a state prisoner proceeding pro se in an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254.

On May 21, 2008, the Magistrate Judge filed a Findings and Recommendations to dismiss the petition. (Doc. 15). On July 8, 2008, the Court entered an order adopting the Magistrate Judge's Findings and Recommendations and dismissing Petitioner's application for a writ of habeas corpus. (Doc. 17). Judgment was entered on July 8, 2008. (Doc. 18).

On August 14, Petitioner filed a notice of appeal (Doc. 22), and, at the same time, also filed the instant motion for extension of time to file his request for issuance of a certificate of

1 appealability. (Doc. 21). On August 20, 2008, the Court declined to issue a certificate of
2 appealability, thus making moot Petitioner's request for an extension of time to request issuance
3 of a certificate of appealability. (Doc. 24).

4 For the foregoing reasons, the Court HEREBY ORDERS that Petitioner's motion for an
5 extension of time to request issuance of a certificate of appealability (Doc. 21), is DENIED as
6 MOOT.

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8 IT IS SO ORDERED.

9 **Dated: September 10, 2009**

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE

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