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

RASHEEN D. FAIRLY,	)	No. CV-F-10-1116 OWW
	)	(No. CR-F-95-5193 OWW)
	)	
Petitioner,	)	ORDER DENYING CERTIFICATE OF
	)	APPEALABILITY
vs.	)	
	)	
UNITED STATES OF AMERICA,	)	
	)	
Respondent.	)	
	)	
	)	

Petitioner has timely filed a Notice of Appeal from the "Memorandum Decision and Order Deeming Petitioner's Petition for Relief from Judgment Under All Writs Act to Be Second or Successive Motion to Vacate, Set Aside or Correct Sentence Pursuant to 28 U.S.C. § 2255, Dismissing Deemed Section 2255 Motion for Lack of Jurisdiction, and Directing Clerk of Court to Enter Judgment for Respondent," filed on June 28, 2010 (Doc. 268).

No Certificate of Appealability shall issue in connection with Petitioner's appeal.

