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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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11 **KAREEM BROWN,**

12 Petitioner,

13 **v.**

14 **AMY MILLER,**

15 Respondent.  
16  
17

Case No. 1:12-cv-1787-AWI-MJS

**ORDER ON MOTION FOR ISSUANCE  
OF CERTIFICATE OF APPEALABILITY**

**(Doc. 40)**

18 Petitioner is a state prisoner proceeding pro se with a petition for writ of habeas  
19 corpus under 28 U.S.C. § 2254.

20 On March 25, 2015, this Court adopted a Findings and Recommendation,  
21 dismissed the petition, and declined to issue a certificate of appealability. (ECF No. 38.)  
22 Judgment was entered the same day.

23 On April 23, 2015, Petitioner filed in this court a motion for a certificate of  
24 appealability. (ECF No. 40.) The motion shows as an open and pending matter on this  
25 Court's docket. However, the motion is not directed to this Court, but is expressly  
26 directed to the Ninth Circuit. Id. To the extent that Petitioner is requesting a certificate of  
27 appealability from this Court, the Court will deny that request for the reasons previously  
28

1 stated in the order dismissing the petition. See ECF No. 38; see also Miller-EI v.  
2 Cockrell, 123 S.Ct. 1029, 1039 (2003); Slack v. McDaniel, 529 U.S. 473, 484 (2000).  
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4 Accordingly, IT IS HEREBY ORDERED that the Court DECLINES to issue a  
5 certificate of appealability.<sup>1</sup>  
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7 IT IS SO ORDERED.

8 Dated: June 26, 2015

  
9 SENIOR DISTRICT JUDGE  
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27 <sup>1</sup> This order is not intended to have any effect on Petitioner's efforts to obtain a certificate  
28 of appealability from the Ninth Circuit Court of Appeals.