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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

DENNIS CHAN LAI,  
Petitioner,  
v.  
PAUL COPENHAVER,  
Respondent.

Case No. 1:14-cv-01775-LJO-EPG-HC  
ORDER DISMISSING MOTION FOR  
CERTIFICATE OF APPEALABILITY  
(ECF No. 34)

On November 10, 2014, Petitioner Dennis Chan Lai, a federal prisoner proceeding *pro se*, filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. (ECF No. 1). On October 21, 2015, the Court dismissed the petition and declined to issue a certificate of appealability. (ECF No. 27). Petitioner filed a motion for reconsideration, which was denied on January 8, 2016. (ECF No. 29, 30). On January 21, 2016, Petitioner filed a notice of appeal, and the appeal was processed to the Ninth Circuit. (ECF Nos. 31, 32). On February 12, 2016, Petitioner filed the instant motion for certificate of appealability. (ECF No. 34).

“The filing of a notice of appeal is an event of jurisdictional significance—it confers jurisdiction on the court of appeals and divests the district court of its control over those aspects of the case involved in the appeal.” Griggs v. Provident Consumer Disc. Co., 459 U.S. 56, 58 (1982). Here, the notice of appeal was filed on January 21, 2016, and the Court has been divested of its jurisdiction over this case.

1           Accordingly, IT IS HEREBY ORDERED that Petitioner's motion for certificate of  
2 appealability (ECF No. 34) is DISMISSED for lack of jurisdiction.

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4 IT IS SO ORDERED.

5       Dated: February 22, 2016

/s/ Lawrence J. O'Neill  
UNITED STATES DISTRICT JUDGE

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