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

TANNEN SOOJIAN,  
Petitioner,  
v.  
JOE A. LIZARRAGA,  
Respondent.

Case No. 1:16-cv-00254-AWI-SAB-HC  
ORDER DENYING PETITIONER'S  
REQUEST FOR CERTIFICATE OF  
APPEALABILITY  
(ECF No. 65)

Petitioner is a state prisoner who proceeded pro se with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. On March 19, 2019, the Court denied the petition and declined to issue a certificate of appealability. (ECF No. 62). The following day judgment was entered. (ECF No. 63).

On April 19, 2019, the Court received the instant request for a certificate of appealability. (ECF No. 65). In the March 19, 2019 order denying the petition, the Court found “that reasonable jurists would not find the Court’s determination that Petitioner’s federal habeas corpus petition should be denied debatable or wrong, or that the issues presented are deserving of encouragement to proceed further. Petitioner has not made the required substantial showing of the denial of a constitutional right.” (ECF No. 62 at 7–8). Petitioner has failed to demonstrate that a certificate of appealability is warranted. Therefore, the Court will continue to deny issuing a certificate of appealability.

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Accordingly, Petitioner’s motion for a certificate of appealability (ECF No. 65) is DENIED.<sup>1</sup>

IT IS SO ORDERED.

Dated: October 7, 2019

  
\_\_\_\_\_  
SENIOR DISTRICT JUDGE

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<sup>1</sup> The Court notes that the Federal Rules of Appellate Procedure provide that if the district judge has denied the certificate of appealability, Petitioner may request a circuit judge to issue it. Fed. R. App. P. 22(b)(1).