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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROBERT LEE DARNELL,
Petitioner,
v.
STU SHERMAN,
Respondent.

Case No.: 1:16-cv-00396-AWI-JLT (HC)
ORDER DISREGARDING MOTION AS
MOOT
(Doc. 14)

On June 1, 2016, the Court dismissed the petition for writ of habeas corpus. The Court also declined to issue a certificate of appealability. Petitioner filed a notice of appeal on June 17, 2016, and the appeal was processed to the Ninth Circuit Court of Appeals. On June 17, 2016, Petitioner also filed a motion to appoint counsel in this Court. On January 10, 2017, however, the Ninth Circuit denied Petitioner’s request for certificate of appealability. Thus, Petitioner’s motion for counsel is **MOOT** and is hereby **DISREGARDED**.

IT IS SO ORDERED.

Dated: February 7, 2017

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE