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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

GARLAND A JONES,

Plaintiff,

v.

MAILROOM OFFICIALS, et al.,

Defendants.

Case No. 1:17-cv-00281-LJO-SKO (PC)

**ORDER DISREGARDING PLAINTIFF'S
MOTION FOR CERTIFICATE OF
APPEALABILITY**

(Doc. 26)

This action was dismissed on January 9, 2019, with prejudice, for Plaintiff's failure to state a claim under section 1983. 28 U.S.C. § 1915A. On February 25, 2019, Plaintiff filed a motion seeking the issuance of a certificate of appealability. (Doc. 26.) A certificate of appealability must be obtained to appeal a decision in habeas proceedings; it has no application in this civil rights case. 28 U.S.C. § 2253(c)(1)(A); *Miller-El v. Cockrell*, 537 U.S. 322, 335-36 (2003). Accordingly, Plaintiff's motion, (Doc. 26), is **DISREGARDED** since unnecessary.

IT IS SO ORDERED.

Dated: February 26, 2019

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE