

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

## MATTHEW EDWARDS.

No. 1:17-cv-00904-DAD-JLT

Petitioner,

V.

SCOTT FRAUENHEIM,

ORDER DENYING MOTION FOR  
CERTIFICATE OF APPEALABILITY

(Doc. No. 10)

On August 29, 2017, this court dismissed petitioner's habeas petition filed pursuant to 28 U.S.C. § 2254 for failure to state a claim, and declined to issue a certificate of appealability. (Doc. No. 7.) On September 25, 2017, petitioner filed with this court a motion requesting that the Ninth Circuit Court of Appeals grant him a certificate of appealability. (Doc. No. 10.) Since the motion is not directed to this court, it is denied without prejudice to petitioner re-filing a similar request with the Ninth Circuit Court of Appeals.

IT IS SO ORDERED.

Dated: October 13, 2017

Dale A. Troyd