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8	UNITED STATES DISTRICT COURT		
9	EASTERN DISTRICT OF CALIFORNIA		
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11	JOSHUA MICHAEL GODFREY,) Case No.: 1:19-cv-01197-JLT-HBK (HC)	
12	Petitioner,	ORDER ADOPTING THE FINDINGS ANDRECOMMENDATIONS, DENYING PETITION	
13	v.) FOR WRIT OF HABEAS CORPUS, DIRECTING) CLERK OF COURT TO CLOSE CASE, AND	
14	WARDEN PBSP,	 DECLINING TO ISSUE CERTIFICATE OF APPEALABILITY 	
15	Respondent.)) (Docs. 1, 44.)	
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17	Joshua Michael Godfrey is a state prisoner proceeding pro se with a petition for writ of habeas		
18	corpus pursuant to 28 U.S.C. § 2254. (Doc. 1.) The magistrate judge issued Findings and		
19	Recommendations recommending that the petition for writ of habeas corpus be denied and that the		
20	court decline to issue a certificate of appealability. (Doc. 44 at 18.) The Court notified the parties that		
21	any objections were to be filed within fourteen days after service. (Id. at 18-19.) To date, the		
22	Petitioner has not filed objections, and the time for doing so has passed.		
23	According to 28 U.S.C. § 636(b)(1)(C), this Court conducted a <i>de novo</i> review of this case.		
24	Having carefully reviewed the entire matter, the Court finds the Findings and Recommendations are		
25	supported by the record and proper analysis.		
26	A prisoner seeking a writ of habeas corpus has no absolute entitlement to appeal, rather an		
27	appeal is only allowed in certain circumstances. <i>Miller-El v. Cockrell</i> , 537 U.S. 322, 335–36 (2003);		
28	see also 28 U.S.C. § 2253(c)(1)(A) (permitting habeas appeals from state prisoners only with a		
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1	certificate of	appealability). A judge shall	grant a certificate of appealability "only if the applicant has
2	made a substantial showing of the denial of a constitutional right," 28 U.S.C. § 2253(c)(2), and the		
3	certificate must indicate which issues satisfy this standard, 28 U.S.C. § 2253(c)(3). While the		
4	petitioner is not required to prove the merits of his case, he must demonstrate "something more than		
5	the absence of frivolity or the existence of mere good faith on his part." <i>Miller-El</i> , 537 U.S. at 338.		
6	The Court finds that reasonable jurists would not find the Court's rejection of Petitioner's		
7	claims is debatable or wrong, or that the issues presented are deserving of encouragement to proceed		
8	further. Petitioner has not made the required substantial showing of the denial of a constitutional right.		
9	Therefore, the Court declines to issue a certificate of appealability.		
10	Based upon the foregoing, the Court ORDERS :		
11	1.	The Findings and Recomm	endations issued on June 29, 2022 (Doc. 44) are ADOPTED
12		in full.	
13	2.	The petition for writ of hab	eas corpus (Doc. 1) is DENIED .
14	3.	The Clerk of Court is direc	ted to close the case.
15	4.	The Court declines to issue	a certificate of appealability.
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17	IT IS SO OR	DERED.	
18	Dated:	August 2, 2022	Jennifer L. Thurson
19			UNITED STATES DISTRICT JUDGE
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