

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

STEVEN RATHBUN,

Plaintiffs,

v.

ATTORNEY GENERAL OF THE
STATE OF CALIFORNIA,
K. PROSPER,

Defendants.

Case No. 2:06-CV-01311-VAP

ORDER RE: CERTIFICATE OF
APPEALABILITY

On March 31, 2010 Petitioner filed a Notice of Appeal and a request for a Certificate of Appealability pursuant to 28 U.S.C. § 2253. The Court has reviewed the matter.

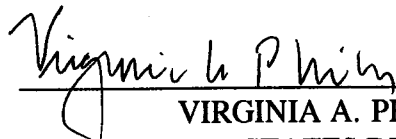
IT IS HEREBY ORDERED:

The Certificate of Appealability is **GRANTED**. The specific issue(s) satisfy §2253(c)(2) as follows:

The Certificate of Appealability is **DENIED** for the following reason(s):

- There has been no substantial showing of the denial of a constitutional right.
- The appeal seeks to test the validity of a warrant to remove to another district or place for commitment or trial.
- The appeal seeks to test the validity of the detention pending removal proceedings.

DATED: 4/3/11



VIRGINIA A. PHILLIPS
UNITED STATES DISTRICT JUDGE