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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHARLES GLENN NORMAN, JR.,

No. 2:06-cv-02235-MCE DAD P

Petitioner,

vs.

ORDER

JOHN DOVEY, et al.,

Respondents.

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Petitioner, a state prisoner proceeding pro se, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On April 8, 2010, the magistrate judge issued findings and recommendations, recommending that respondent’s motion to dismiss the petition as time-barred be granted. On May 18, 2011, this Court adopted the findings and recommendations in full, granted respondent’s motion to dismiss, and dismissed this action with prejudice. On the same day, the Court entered judgment and closed the case. Pending before the Court is petitioner’s motion for a certificate of appealability.


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1 In the Court’s final order, the undersigned inadvertently failed to address the issue
2 of a certificate of appealability. A certificate of appealability should be granted for any issue that
3 petitioner can demonstrate is “debatable among jurists of reason,” could be resolved differently
4 by a different court, or is “adequate to deserve encouragement to proceed further.” Jennings v.
5 Woodford, 290 F.3d 1006, 1010 (9th Cir. 2002) (quoting Barefoot v. Estelle, 463 U.S. 880, 893
6 (1983)). Here, petitioner has made a substantial showing of the denial of a constitutional right in
7 the following issue(s) presented in the instant petition: whether petitioner’s habeas petition is
8 time-barred by the AEDPA statute of limitations.

9 Accordingly, IT IS HEREBY ORDERED that:

- 10 1. Petitioner’s motion for a certificate of appealability (ECF No. 49) is
11 GRANTED; and
12 2. A certificate of appealability is issued in the present action.

13 Dated: October 24, 2011

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16 MORRISON C. ENGLAND, JR.
17 UNITED STATES DISTRICT JUDGE
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