

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SUTTER NGUYEN,

Petitioner

CV 08-02150 TJH

v.

T. FELKER,

Respondent

ORDER RE: CERTIFICATE
OF APPEALABILITY

On June 24, 2013, 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.

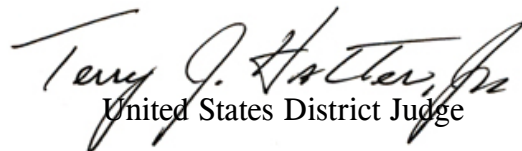
IT IS HEREBY ORDERED.

The Certificate of Appealability is **Granted**. The specific issue(s) satisfy 28 U.S.C. § 2253(c)(2) as follows:

Whether Petitioner's constitutional rights were violated when his request to sever his trial from his co-defendants was denied.

- 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.

February 2, 2015


United States District Judge

ORDER RE: CERTIFICATE OF APPEALABILITY