

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ABBAS EGHTESADI,

Petitioner

CV 08-02221 TJH

v.

MATTHEW CATE, *et al.*,

Respondents

ORDER RE: CERTIFICATE
OF APPEALABILITY

On November 13, 2012, 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.

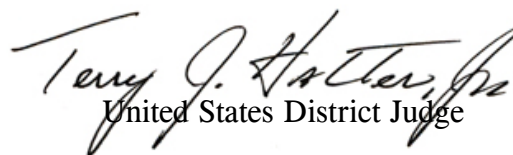
IT IS HEREBY ORDERED.

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

- (1) Whether Petitioner's constitutional rights were violated in the trial court when a juror failed to reveal his relative was a district attorney.
- (2) Whether Petitioner's constitutional rights were violated when that juror shared extra-judicial information received from his relative, the district attorney, with the entire jury.
- (3) Whether Petitioner's constitutional rights were violated by the prosecution's use of perjured testimony in its case-in-chief.

- 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