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8	UNITED STATES	DISTRICT COURT		
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L2	JOSE HUMBERTO MAGANA-TORRES,	No. 2:10-cv-2669 WBS DMC		
L3	Petitioner,	Ninth Circuit Case No. 19-		
L 4	V.	15551		
L5	KELLY HARRINGTON,	ORDER RE: CERTIFICATE OF APPEALABILITY		
L 6	Respondent.			
L7				
L8	000	000		
L 9	Before the court is the April 2, 2019 order of the			
20	Ninth Circuit Appellate Commissioner remanding defendant's appeal			
21	of this court's denial of defendant's motion for relief from			
22	judgment under Federal Rule of Civil Procedure 60(b). (Docket			
23	No. 48.) The order remanded defendant's appeal to this court			
24	"for the limited purpose of granting or denying a certificate of			
25	appealability."			
26	For the reasons stated in the court's March 4, 2019			
27	order denying the motion for relief from judgment (Docket No.			
28	42), the court declines to issue a certificate of appealability.			

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The Clerk of Court for the Eastern District of California shall forward this order to the U.S. Court of Appeals for the Ninth Circuit.

IT IS SO ORDERED.

Dated: April 5, 2019

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WILLIAM B. SHUBB

UNITED STATES DISTRICT JUDGE