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

CHRISTINA B. SHUKRY

Petitioner,

No. 2: 10-cv-2724 WBS DAD P

vs.

WALTER MILLER,

Respondent.

ORDER

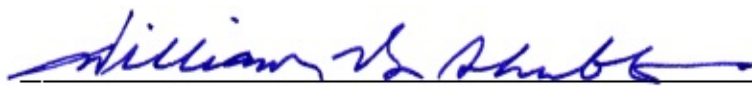
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Petitioner is a state prisoner and is proceeding with a petition for writ of habeas corpus filed pursuant to 28 U.S.C. § 2254. On July 28, 2011, the petition was dismissed as time-barred under the one-year statute of limitations in 28 U.S.C. § 2244(d). In the order dismissing this action the court also declined to issue a certificate of appealability. (See Dkt. No. 21 at p. 2.) Thereafter, petitioner filed a notice of appeal (See Dkt. No. 23.) along with a motion for a certificate of appealability. (See Dkt. No. 26.) Petitioner’s request for a certificate of appealability has since been denied by the United States Court of Appeals for the Ninth Circuit. (See Dkt. No. 29.)

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1 Accordingly, for the reasons discussed in the June 14, 2011 findings and
2 recommendations as well as the denial of a certificate of appealability in this court's July 28,
3 2011 order and the recent denial of petitioner's request for a certificate of appealability by the
4 Ninth Circuit, IT IS HEREBY ORDERED that the motion for a certificate of appealability (Dkt.
5 No. 26) is DENIED.

6 DATED: September 21, 2012

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9 WILLIAM B. SHUBB
10 UNITED STATES DISTRICT JUDGE
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