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

WILLIAM THOMAS COATS,

Petitioner,

No. CIV-S-11-2028 CKD P

vs.

MICHAEL MCDONALD

Respondent.

ORDER

_____ /

Petitioner has requested a certificate of appealability under 28 U.S.C. § 2253(c) with respect to the court’s August 5, 2011 dismissal of this action. Pursuant to 28 U.S.C. § 636(c), petitioner has consented to all proceedings in this matter being held before a United States Magistrate Judge.

A certificate of appealability may issue under 28 U.S.C. § 2253 “only if the applicant has made a substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2). When a habeas petition is dismissed on procedural grounds, a certificate of appealability should issue when the prisoner shows that jurists of reason would find it debatable whether the petition states a valid claim of the denial of a constitutional right and that jurists of reason would find it debatable whether dismissal was correct. Slack v. McDaniel, 529 U.S. 473, 484-85 (2000).

1 Petitioner's habeas petition was not dismissed. It was simply transferred to
2 another case pursuant to the Ninth Circuit's decision in Woods v. Carey, 525 F.3d 886, 890 (9th
3 Cir. 2008). There is not good cause for appeal.

4 Accordingly, IT IS HEREBY ORDERED that petitioner's request for a certificate
5 of appealability is denied.

6 Dated: August 17, 2011

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8 _____
9 CAROLYN K. DELANEY
10 UNITED STATES MAGISTRATE JUDGE

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