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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

EDWARD FRANCIS SCIOSCIOLE,  
Petitioner,  
v.  
GOWER,  
Respondent.

No. 2:13-cv-2438 CKD P

ORDER

Petitioner has requested a certificate of appealability with respect to the court’s July 10, 2018 denial of his motion to re-open this 28 U.S.C. § 2254 action.<sup>1</sup> Because petitioner has not shown that jurists of reason would find it debatable whether the court abused its discretion in denying petitioner’s motion, and jurists of reason would find it debatable whether the underlying petition for a writ of habeas corpus states a valid claim of the denial of a constitutional right, see U.S. v. Winkles, 795 F.3d 1134, 1143 (9th Cir. 2015), petitioner’s request (ECF No. 74) is denied.

Dated: August 1, 2018

  
CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup> Both parties have consented to having all matters in this action before a United State Magistrate Judge. See 28. U.S.C. § 636(c).