

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

BENITO MORALES, SR,

Petitioner,

vs.

JOE A. LIZARRAGA, Warden, Mule
Creek State Prison,

Respondent.

No. 2:15-cv-00077-JKS

ORDER

[Re: Motion at Docket No. 26]

This Court denied Benito Morales, Sr., a state prisoner proceeding *pro se*, habeas relief and a certificate of appealability on March 6, 2018. Docket Nos. 23, 24. Morales timely filed a notice of appeal with this Court dated April 3, 2018. Docket No. 25. At Docket No. 26, Morales filed a request for a certificate of appealability. Because this Court has already denied Morales a certificate of appealability, it appears that he inadvertently filed his motion with this Court rather than the Court of Appeals.

IT IS THEREFORE ORDERED THAT the Clerk of Court is directed to transfer Morales' Motion for a Certificate of Appealability at Docket No. 26 to the Ninth Circuit Court of Appeals.

Dated: April 10, 2018.

/s/James K. Singleton, Jr.
JAMES K. SINGLETON, JR.
Senior United States District Judge