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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KRISTOPHER DESHAWN SPEIGHT,

Petitioner,

v.

DAVE DAVEY,

Respondent.

No. 2:15-cv-00209-TLN-DB

ORDER

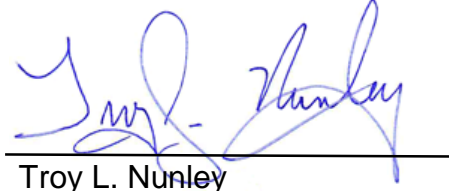
Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On March 1, 2017, the Court adopted the magistrate judge’s findings and recommendations (ECF No. 23) to grant respondent’s motion to dismiss in part. Plaintiff then filed a notice of interlocutory appeal (ECF No. 28), which has now been dismissed by the Ninth Circuit Court of Appeals for lack of jurisdiction (ECF No 30). Petitioner then filed the instant motion for a certificate of appealability (ECF No. 31). This latter motion will be denied because a final order adverse to Petitioner has not been entered. *See* 28 U.S.C. § 2253(c).

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Accordingly, IT IS HEREBY ORDERED that Petitioner's motion for certificate of appealability (ECF No. 31) is denied.

Dated: August 29, 2017



Troy L. Nunley
United States District Judge