

FILED

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

NOV 07 2016

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

JOHNNY CLIFFORD JACKSON,

Petitioner-Appellant,

v.

CALIFORNIA BOARD OF PAROLE
HEARINGS,

Respondent-Appellee.

No. 16-15559

D.C. No.
2:15-cv-00609-KJM-KJN
Eastern District of California,
Sacramento

ORDER

Before: CANBY and SILVERMAN, Circuit Judges.

The request for a certificate of appealability is denied because appellant has not shown 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 the district court was correct in its procedural ruling.” *Slack v. McDaniel*, 529 U.S. 473, 484 (2000); *see also* 28 U.S.C. § 2253(c)(2); *Gonzalez v. Thaler*, 132 S. Ct. 641, 648 (2012).

In order for a district court to consider a second or successive 28 U.S.C. § 2254 petition, this court must first authorize the district court to consider that petition. *See* 28 U.S.C. § 2244(b)(3). The Clerk shall serve this order and a copy

of the standard form application for leave to file a second or successive petition on appellant.

Any pending motions are denied as moot.

DENIED.