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

ERNIE ROXAS,

No. 2:15-CV-2201-TLN-CMK-P

Petitioner,

vs.

ORDER

J. LIZARRAGA,

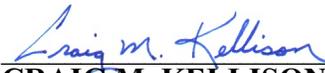
Respondent.

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Petitioner, a state prisoner proceeding pro se, brought this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Final judgment was entered on December 27, 2016, and the court declined to issue a certificate of appealability. Petitioner appealed on January 10, 2017. Concurrent with his notice of appeal, petitioner filed in this court a motion for the appointment of counsel (Doc. 29) and a motion for leave to proceed in forma pauperis (Doc. 30). Because this case is closed and the court’s judgment has been appealed, petitioner current motions are denied without prejudice to renewal in the Ninth Circuit Court of Appeals.

IT IS SO ORDERED.

DATED: February 3, 2017

  
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**CRAIG M. KELLISON**  
UNITED STATES MAGISTRATE JUDGE