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

FRANK LEON WEBSTER,

No. C 87-4949 SI

Petitioner,

**ORDER DENYING CERTIFICATE OF
APPEALABILITY**

v.

E. MEYERS, SUPERINTENDENT,

Respondent.

Petitioner has filed a notice of appeal of this Court's December 29, 2009 Order Denying Motion for Reconsideration. The Court DENIES a certificate of appealability because petitioner has not made a substantial showing of the denial of a constitutional right. 28 U.S.C. § 2253(c)(2). (Docket Nos. 22 & 23).

IT IS SO ORDERED.

Dated: June 14, 2010



SUSAN ILLSTON
United States District Judge

United States District Court
For the Northern District of California