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5 UNITED STATES DISTRICT COURT
6 NORTHERN DISTRICT OF CALIFORNIA
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8 MARKEE CARTER,

No. C 06-7398 SI (pr)

9 Petitioner,

ORDER

10 v.

11 ROBERT L. AYERS, JR., Warden,


12 Respondent.
13 _____/

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15 Petitioner has filed a notice of appeal and an application for certificate of appealability.
16 Petitioner's application for a certificate of appealability is DENIED as unnecessary. (Docket #
17 13.) A certificate of appealability is not necessary to challenge the execution of a petitioner's
18 sentence, such as a disciplinary decision by prison officials. See Rosas v. Nielsen, 428 F.3d
19 1229, 1231-32 (9th Cir. 2005) (no certificate required for appeal from denial of petition
20 challenging administrative decision by parole board to deny parole); cf. White v. Lambert, 370
21 F.3d 1002, 1004 (9th Cir. 2004) (no certificate required for appeal from denial of § 2241 petition
22 challenging transfer from a state prison to a private prison in another state). The clerk shall
23 process the appeal.

24 Petitioner sent his mail to the Eastern District, rather than this district. All filings
25 intended for this court should be mailed to 450 Golden Gate Avenue, San Francisco, CA 94102.

26 IT IS SO ORDERED.

27 Dated: September 29, 2008

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SUSAN ILLSTON
United States District Judge