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United States District Court
For the Northern District of California

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

DANIEL ALAS,
Petitioner,
v.
WILLIAM SULLIVAN,
Respondent.

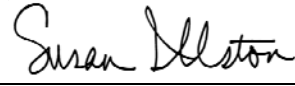
No. C 07-3811 SI

ORDER DENYING CERTIFICATE OF APPEALABILITY

Petitioner has filed a notice of appeal and requested a certificate of appealability pursuant to 28 U.S.C. § 2253(c) and Federal Rule of Appellate Procedure 22(b). Because petitioner has not "made a substantial showing of the denial of a constitutional right," 28 U.S.C. § 2253(c)(2), the request for a certificate of appealability is DENIED. The Clerk shall forward to the court of appeals the case file with this order. See United States v. Asrar, 116 F.3d 1268, 1270 (9th Cir. 1997).

IT IS SO ORDERED.

Dated: March 17, 2009



SUSAN ILLSTON
United States District Judge