

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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

DUANE A SINGLETON,	)	
	)	
Petitioner,	)	No C 07-5969 VRW (PR)
	)	
vs.	)	ORDER DENYING
	)	CERTIFICATE OF
ROBERT L AYERS, Warden,	)	APPEALABILITY
	)	
Respondent.	)	(Doc # 30)
_____	)	

Petitioner has filed a notice of appeal and request for a certificate of appealability pursuant to 28 USC § 2253(c) and Federal Rule of Appellate Procedure 22(b). A certificate of appealability (doc # 30) is DENIED because petitioner has not made "a substantial showing of the denial of a constitutional right." 28 USC § 2253(c)(2). Petitioner has not demonstrated that "reasonable jurists would find the district court's assessment of the constitutional claims debatable or wrong." Slack v McDaniel, 529 US 473, 484 (2000).

The clerk shall forward to the court of appeals the case file with this order. See United States v Asrar, 116 F3d 1268, 1270 (9th Cir 1997).

SO ORDERED.

  
 \_\_\_\_\_  
 VAUGHN R WALKER  
 United States District Chief Judge