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

ADAM TORREZ,

Petitioner,

v.

MICHAEL MARTEL, Warden,

Respondent.

NO. C08-1309 TEH

ORDER DENYING REQUEST  
FOR CERTIFICATE OF  
APPEALABILITY

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The Court is in receipt of Petitioner Adam Torrez's request for issuance of a certificate of appealability. A certificate of appealability may issue where the petitioner "has made a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2). A petitioner satisfies this standard where he or she shows that reasonable jurists could find the issues debatable or that the issues are "adequate to deserve encouragement to proceed further." *Slack v. McDaniel*, 529 U.S. 473, 483-84 (2000) (quoting *Barefoot v. Estelle*, 463 U.S. 880, 893 n.4 (1983)).

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Petitioner seeks a certificate of appealability with respect to three issues: (1) whether Petitioner was deprived of the right to confrontation; (2) whether Petitioner was subjected to unconstitutional ex post facto punishment; and (3) whether Petitioner was deprived of the effective assistance of counsel. As reasonable jurists could not find these questions debatable, the certificate of appealability is DENIED as to all issues.

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**IT IS SO ORDERED.**

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Dated: 9/23/10



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THELTON E. HENDERSON, JUDGE  
UNITED STATES DISTRICT COURT