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

NATHANIEL WATKINS,

No. C-09-3071 MMC

Petitioner,

**ORDER DENYING PETITIONER'S
APPLICATION FOR CERTIFICATE OF
APPEALABILITY**

v.

ANTHONY HEDGPETH,

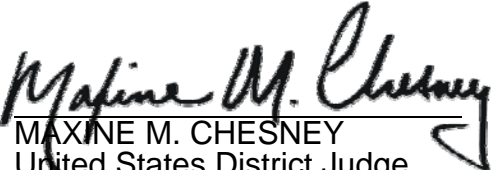
Respondent.

Before the Court is petitioner's "Application for Certificate of Appealability from the District Court and Statement of Reason in Support," filed November 29, 2012. Having read and considered the application, the Court rules as follows.

By order filed June 26, 2012, the Court denied petitioner's petition for a writ of habeas corpus and declined to issue a certificate of appealability. Consequently, the Court construes the instant application as a request to reconsider whether a certificate of appealability should be issued. So construed, the application is hereby DENIED, for the reason that petitioner fails to identify any cognizable basis for reconsideration exists, see Fed. R. Civ. P. 6)(b), and, in any event, fails to make a substantial showing of the denial of a constitutional right, see 28 U.S.C. § 2253(c)(2).

IT IS SO ORDERED.

Dated: December 21, 2012


MAXINE M. CHESNEY
United States District Judge