

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

United States District Court
For the Northern District of California

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

GREGORY L. DOWDY,
Petitioner,

No. C 09-03144 WHA

v.

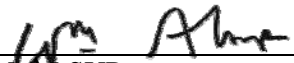
BEN CURRY,
Respondent.

**ORDER RE MOTION FOR
CERTIFICATE OF
APPEALABILITY**

Following the February 26 order denying his Rule 60 motion, petitioner moves for a certificate of appealability on the question of whether he is entitled to equitable tolling due to mental incompetence. Given that our court of appeals has previously granted petitioner a certificate of appealability on that same question, petitioner's motion is **GRANTED**. *Slack v. McDaniel*, 529 U.S. 473, 478 (2000).

IT IS SO ORDERED.

Dated: March 6, 2014.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE