

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

ADRIAN ZEPEDA,	)	
	)	
Petitioner,	)	No. C 09-3844 CRB (PR)
	)	
vs.	)	ORDER DENYING
	)	CERTIFICATE OF
FEDERAL BUREAU OF PRISONS,	)	APPEALABILITY
	)	
Respondent.	)	(Docket # 6)
	)	

On October 15, 2009, the court denied on the merits petitioner's application for a writ of habeas corpus under 28 U.S.C. § 2241 compelling the Federal Bureau of Prisons ("BOP") to comply with a state court's wishes and have petitioner's state sentence run concurrently with his federal sentence. Petitioner has filed a notice of appeal and request for a certificate of appealability under 28 U.S.C. § 2253(c) and Federal Rule of Appellate Procedure 22(b).

Petitioner's request for a certificate of appealability (docket # 6) is DENIED as unnecessary. See Forde v. U.S. Parole Comm'n, 114 F.3d 878, 879 (9th Cir. 1997) (no certificate of appealability required for appeal from denial of § 2241 petition challenging execution of federal sentence).

The clerk shall process the appeal.

SO ORDERED.

DATED: Dec. 17, 2009

  
 CHARLES R. BREYER  
 United States District Judge