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

| | | |
|--------------------------|---|------------------------|
| STEVEN J. KRUKOW, |) | |
| |) | |
| Petitioner, |) | No. C 09-5449 CRB (PR) |
| |) | |
| vs. |) | ORDER |
| |) | |
| DERRAL G. ADAMS, Warden, |) | |
| |) | |
| Respondent. |) | |

Per order filed on November 23, 2010, the court denied petitioner's application for a writ of habeas corpus under 28 U.S.C. § 2254 and instructed the clerk to enter judgment in favor of respondent. Pursuant to Rule 11 of the Rules Governing Section 2254 Cases, the court also denied a certificate of appealability (COA) under 28 U.S.C. § 2253(c).

On December 27, 2010, petitioner delivered to prison officials for mailing to the court a petition for a COA. It was mailed to the Ninth Circuit and was eventually transferred and filed in this court on January 10, 2011. See Docket # 13. The petition for a COA is denied as moot. But in the interest of justice, it is also construed as a notice of appeal of the court's order of November 23, 2010.

SO ORDERED.

DATED: February 17, 2011



CHARLES R. BREYER
United States District Judge