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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DAVID LLOYD SHAFFER,
Petitioner,
v.
F. GONZALES, Warden,
Respondent.

No. C 10-3807 SI (PR)

**ORDER DENYING REQUEST FOR A
CERTIFICATE OF APPEALABILITY;**

**ORDER DENYING REQUEST TO
PROCEED IN FORMA PAUPERIS ON
APPEAL**

This closed federal habeas corpus action, which is currently on appeal, was filed pursuant to 28 U.S.C. § 2254 by a *pro se* state prisoner. The Court denied the petition for writ of habeas corpus, declined to issue a certificate of appealability (“COA”), and entered judgment in favor of respondent on November 14, 2011. Petitioner’s request for a COA (Docket No. 16) is DENIED as moot, the Court having declined to issue such certificate in the order denying the petition. (Docket No. 13.) Petitioner’s request to proceed *in forma pauperis* (“IFP”) on appeal is DENIED. In declining to issue a COA, the Court determined that there were no valid appealable issues. Having concluded this, it would not be appropriate to grant petitioner’s request to proceed IFP on appeal. The Clerk shall terminate Docket No. 16.

IT IS SO ORDERED.

DATED: February 3, 2012



SUSAN ILLSTON
United States District Judge

United States District Court
For the Northern District of California