

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

GREGORY C SMITH,

Petitioner,

v.

GARY SWARTHOUT, Warden,

Respondent.

No. C 11-00814 WHA

**ORDER DENYING REQUEST FOR
CERTIFICATE OF APPEALABILITY**

On January 3, 2013, petitioner's habeas petition and a certificate of appealability were denied. (*Order Denying Petition For Writ Of Habeas Corpus*, Docket No. 16). Petitioner was informed that he could seek a certificate of appealability from the Court of Appeals. *Id.*

On February 7, 2013, the Court of Appeals received petitioner's request for a certificate of appealability and forwarded it to the District Court. Consistent with the prior Order in this matter, petitioner's request for a certificate of appealability is **DENIED**.

IT IS SO ORDERED.

Dated: March 5, 2013.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE