

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

ALDRIDGE CURRIE, G-44516,)
Petitioner,) No. C 11-5194 CRB (PR)
vs.) ORDER
GREG D. LEWIS, Warden,) (Docket #23)
Respondent.)

Petitioner has filed a notice of appeal and a request for a certificate of appealability (COA) under 28 U.S.C. § 2253(c) and Federal Rule of Appellate Procedure 22(b). He also has filed a motion for appointment of counsel on appeal.

As noted in the court’s May 13, 2013 order denying the petition for a writ of habeas corpus, a COA is granted as to petitioner’s Batson claim. But a COA is denied as to petitioner’s other claims because petitioner has not demonstrated that “reasonable jurists would find the district court’s assessment of the constitutional claims debatable or wrong.” Slack v. McDaniel, 529 U.S. 473, 484 (2000).

Petitioner's motion for appointment of counsel (docket # 23) is denied without prejudice to his renewing the motion in the court of appeals.

The clerk shall forward to the court of appeals the case file with this order. See United States v. Asrar, 116 F.3d 1268, 1270 (9th Cir. 1997).

SO ORDERED.

DATED: June 12, 2013


CHARLES R. BREYER
United States District Judge