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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JAMES EDWARD KING,
Petitioner,
v.
SCOTT FRAUENHEIM,
Respondent.

Case No. [14-cv-05267-SI](#)

**ORDER DENYING CERTIFICATE OF
APPEALABILITY AND GRANTING
PAUPER STATUS FOR APPEAL**

Re: Dkt. Nos. 37, 38

Petitioner has filed a notice of appeal and a request for a certificate of appealability. *See* 28 U.S.C. § 2253(c). This is not a case in which “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). Accordingly, the request for a certificate of appealability is DENIED. Dkt. No. 37.

Petitioner’s request to proceed *in forma pauperis* on appeal is GRANTED. Dkt. No. 38.

IT IS SO ORDERED.

Dated: September 16, 2016



SUSAN ILLSTON
United States District Judge