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

TROY ANTHONY RHODES,)	No. C 06-7316 SBA (PR)
)	
Petitioner,)	<u>ORDER DENYING PETITIONER'S</u>
v.)	<u>REQUEST FOR A COA</u>
)	
DERRAL G. ADAMS, Warden,)	(Docket no. 19)
)	
Respondent.)	
_____)	

Petitioner has filed a request for a certificate of appealability under 28 U.S.C. § 2253(c) and Federal Rule of Appellate Procedure 22(b) following the Court's dismissal of his petition for a writ of habeas corpus as untimely.

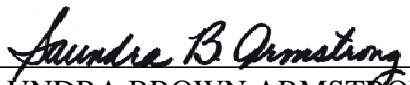
Petitioner's request for a certificate of appealability (docket no. 19) is DENIED. Petitioner has not demonstrated that "jurists of reason would find it debatable whether the petition states a valid claim of the denial of a constitutional right and that jurists of reason would find it debatable whether the district court was correct in its procedural ruling." Slack v. McDaniel, 529 U.S. 473, 484 (2000).

The Clerk of the Court shall forward to the Ninth Circuit Court of Appeals the case file with this Order. See United States v. Asrar, 116 F.3d 1268, 1270 (9th Cir. 1997).

This Order terminates Docket no. 19.

IT IS SO ORDERED.

DATED: 3/9/10


 SAUNDRA BROWN ARMSTRONG
 United States District Judge

United States District Court
For the Northern District of California

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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

TROY A RHODES,

Plaintiff,

v.

KEN CLARK et al,

Defendant.

Case Number: CV06-07316 SBA

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on March 10, 2010, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Troy Anthony Rhodes
SATF
Prisoner #:P-86788/1-D-141L
California State Prison-Corcoran
P.O. Box 5242
Corcoran, CA 93212

Dated: March 10, 2010

Richard W. Wieking, Clerk
By: LISA R CLARK, Deputy Clerk