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

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4	CLIFTON JAMES TERRELL, JR.,) No. C 07-1457 SBA (pr)
5	Petitioner, v.	ORDER DENYING REQUEST FOR CERTIFICATE OF APPEALABILITY:
6	D.L. RUNNELS,) GRANTING REQUEST TO PROCEED IN FORMA PAUPERIS ON APPEAL
7	Respondent.)
8		_)
9	Petitioner's habeas petition challenging his	2005 conviction in the state courts was denied o

Petitioner's habeas petition challenging his 2005 conviction in the state courts was denied on its merits. Petitioner has filed a notice of appeal and a request for certificate of appealability. He also moves for leave to proceed <u>in forma pauperis</u> on appeal.

Petitioner has not shown "that jurists of reason would find it debatable whether the petition states a valid claim of the denial of a constitutional right." <u>Slack v. McDaniel</u>, 529 U.S. 473, 484 (2000). Accordingly, the request for a certificate of appealability is DENIED.

Good cause appearing, Petitioner's request for leave to proceed <u>in forma pauperis</u> on appeal is GRANTED.

The Clerk shall forward this order, along with the case file, to the United States Court of Appeals for the Ninth Circuit, from which Petitioner may also seek a certificate of appealability. See United States v. Asrar, 116 F.3d 1268, 1270 (9th Cir. 1997).

This Order terminates Docket nos. 21 and 23.

IT IS SO ORDERED.

DATED: 12/3/09

SAUNDRA BROWN ARMSTRON United States District Judge

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2	UNITED STATES DISTRICT COURT	
3	FOR THE	
4	NORTHERN DISTRICT OF CALIFORNIA	
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7	CLIFTON JAMES TERRELL JR, Case Number: CV07-01457 SBA	
8	Plaintiff, <u>CERTIFICATE OF SERVICE</u>	
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10	D.L. RUNNELS et al,	
11	<u>Defendant.</u>	
12		
13	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 December 4, 2009, 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	
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16	envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.	
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19		
20	Clifton J. Terrell V79508 Corcoran State Prison	
21	P.O. Box 3461 Corcoran, CA 93212	
22		
23	Dated: December 4, 2009 Richard W. Wieking, Clerk	
24	By: LISA R CLARK, Deputy Clerk	
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