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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

GABRIEL R. REYES,

Petitioner,

No. C 09-5792 PJH (PR)

vs.

**ORDER DENYING MOTION  
FOR PERMISSION TO  
APPEAL**


ROBERT HOREL, Warden,

Respondent.

\_\_\_\_\_  
This petition for writ of habeas corpus was denied on January 24, 2013, and judgment entered accordingly. Petitioner has filed a motion for permission to appeal. The court has already denied a certificate of appealability and petitioner may file an appeal to the Ninth Circuit if he chooses and seek a certificate of appealability from that court. Therefore, the motion (Docket No. 15) is **DENIED**.

**IT IS SO ORDERED.**

Dated: March 15, 2013.

  
\_\_\_\_\_  
PHYLLIS J. HAMILTON  
United States District Judge

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**United States District Court**  
For the Northern District of California