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3 UNITED STATES DISTRICT COURT
4 NORTHERN DISTRICT OF CALIFORNIA

5
6 MICHELLE BRYANT,
7 Petitioner,
8 v.
9 W. Z. JENKINS, Warden,
10 Respondent.

Case No. [20-cv-02524-YGR](#) (PR)

**ORDER DENYING PETITION FOR
WRIT OF HABEAS CORPUS; AND
DENYING CERTIFICATE OF
APPEALABILITY**

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12 Having read and considered the papers filed in connection with this matter and being fully
13 informed,¹ the Court finds that Petitioner is not entitled to credit toward her sentence for time
14 spent in pretrial home confinement. See 18 U.S.C. § 3585(b); *Reno v. Koray*, 515 U.S. 50 (1995);
15 *Winkleman v. Hayes*, No. C 94-3770, 1995 WL 688648 (N.D. Cal. Nov. 9, 1995). Accordingly,
16 the petition is DENIED and no writ of habeas corpus shall issue.

17 No certificate of appealability is warranted in this case. See Rule 11(a) of the Rules
18 Governing Section 2254 Cases. Petitioner has not made “a substantial showing of the denial of a
19 constitutional right.” 28 U.S.C. § 2253(c)(2). Nor has Petitioner demonstrated that “reasonable
20 jurists would find the district court’s assessment of the constitutional claims debatable or wrong.”
21 *Slack v. McDaniel*, 529 U.S. 473, 484 (2000). Petitioner may not appeal the denial of a Certificate
22 of Appealability in this Court but may seek a certificate from the Court of Appeals under Rule 22
23 of the Federal Rules of Appellate Procedure. See Rule 11(a) of the Rules Governing Section 2254
24 Cases.
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28 ¹ Even though Petitioner was given the opportunity to do so, she has not filed a traverse,
and the time frame for doing so has passed.

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The Clerk of the Court shall terminate all pending motions and close the file.

IT IS SO ORDERED.

Dated: 11/16/2020


YVONNE GONZALEZ ROGERS
United States District Judge

United States District Court
Northern District of California