

E-Filed 10/15/2010

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

FREDERICK VINCENT THIECKE,

Petitioner,

v.

SCOTT M. KERNAN, Warden, California
Department of Corrections, California State Prison -
Sacramento,

Respondent.

Case Number 05:06-cv-0161 JF/HRL

**ORDER DENYING CERTIFICATE
OF APPEALABILITY**

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 [or] 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). Accordingly, a certificate of appealability will be denied.

DATED: 10/15/2010


JEREMY FOGEL
United States District Judge