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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

DEAN PHILLIP CARTER,

Petitioner,

vs.

KEVIN CHAPPELL, Acting Warden
of San Quentin State Prison,

Respondent.

CASE NO. 06cv1343 BEN (KSC)

DEATH PENALTY CASE

FINAL ORDER:

**(1) DENYING PETITION FOR
WRIT OF HABEAS CORPUS;
AND**

**(2) ISSUING CERTIFICATE OF
APPEALABILITY**

For the reasons discussed in the Court's March 18, 2013 Order (see Doc. No. 170), the Petition for Writ of Habeas Corpus is **DENIED** as to all claims. The Court **ISSUES** a Certificate of Appealability ["COA"] on Claims 3-4 and **DENIES** a COA on Claims 1-2 and 5-16. See 28 U.S.C. § 2253(c); Slack v. McDaniel, 529 U.S. 473, 484 (2000); (see also Doc. No. 170 at 318.)

The Clerk is **ORDERED** to enter Judgment for Respondent and close Case No. 06-cv-1343.

IT IS SO ORDERED.

DATED: March 18, 2013



Hon. Roger T. Benitez
United States District Judge