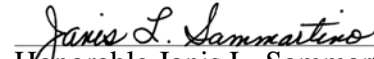


1 v. McDaniel, 529 U.S. 473, 484 (2000). The Court must either (1) grant the certificate of appealability
2 indicating which issues satisfy the required showing or (2) state why a certificate should not issue.
3 Fed. R. App. P. 22(b).

4 The petition raised four legal issues, none of which merit a certificate of appealability. The
5 Court finds that reasonable jurists would agree that the California Court of Appeal's conclusions were
6 neither contrary to nor an unreasonable application of clearly established federal law. Accordingly,
7 no certificate of appealability should issue in this case. Petitioner's motion is **DENIED**.

8 IT IS SO ORDERED.

9
10 DATED: April 28, 2009



Honorable Janis L. Sammartino
United States District Judge

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28