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

LAMARR RASHID CROWDER,  
  
Petitioner,  
  
vs.  
  
JAMES E. TILTON, Secretary, California  
Department of Corrections and  
Rehabilitation,  
  
Respondent.

CASE NO. 08cv0694 DMS (JMA)  
  
**ORDER DENYING REQUEST  
FOR CERTIFICATE OF  
APPEALABILITY**

On May 18, 2009, this Court entered judgment denying the petition for a writ of habeas corpus brought by Petitioner pursuant to 28 U.S.C. § 2254. On June 16, 2009, Petitioner filed a Notice of Appeal and an Application for Certificate of Appealability. A certificate of appealability is authorized “if the applicant has made a substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2). “A petitioner satisfies this standard by demonstrating that jurists of reason could disagree with the district court’s resolution of his constitutional claims or that jurists could conclude the issues presented are adequate to deserve encouragement to proceed further.” *Miller-El v. Cockrell*, 537 U.S. 322, 327 (2003). *See also Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

Having reviewed the Petition, the R&R and the May 18, 2009 Order denying the Petition, the Court finds Petitioner has failed to demonstrate that reasonable jurists would find this Court’s

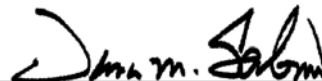
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1 dismissal of his petition debatable. Therefore, the Court denies Petitioner's request for a certificate  
2 of appealability.

3 **IT IS SO ORDERED.**

4 **DATED: June 25, 2009**



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6 **HON. DANA M. SABRAW**  
7 **United States District Judge**

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