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

KAWAN WILLIAMS,	Petitioner,
vs.	
LARRY SMALL, EDMUND G. BROWN, JR.,	Respondents.

CASE NO. 09-CV-1426 JLS (WMC)
**ORDER: DENYING MOTION FOR
CERTIFICATE OF
APPEALABILITY**
(ECF No. 28)

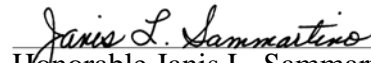
Presently before the Court is Petitioner Kawan Williams’s motion for a certificate of appealability (ECF No. 28) following the Court’s denial of his petition for writ of habeas corpus (Order, ECF No. 23).

This Court is under an obligation to determine whether a certificate of appealability should issue in this matter. 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). The Court must either (1) grant the certificate of appealability indicating which issues satisfy the required showing or (2) state why a certificate should not issue. Fed. R. App. P. 22(b).

1 In its previous Order, the Court denied a certificate of appealability because resolution of
2 Petitioner's claims was not a close question. (Order 3.) Petitioner requested relief from his conviction
3 for three counts of first degree robbery and one count of being a felon in possession of a firearm. The
4 Court found that reasonable jurists would agree with this Court's resolution of Petitioner's
5 constitutional claims, and that Petitioner failed to establish that admission of the challenged evidence
6 "fatally infected [his] trial" by rendering it fundamentally unfair. *Ortiz-Sandoval v. Gomez*, 81 F.3d
7 891, 897 (9th Cir. 1996) (internal quotation marks omitted). (Order 2.) Petitioner's instant motion
8 does not request or state any reasons for reconsideration of the Court's previous determination. Thus,
9 a certificate of appealability is **DENIED**.

10 **IT IS SO ORDERED.**

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12 DATED: March 12, 2012

13 
14 Honorable Janis L. Sammartino
15 United States District Judge
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