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

GERALDO OJITO,

vs.
KEN CLARK, warden,

Petitioner,

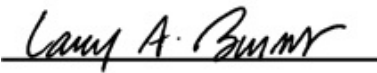
Respondent.

CASE NO. 09cv2127-LAB (JMA)
**ORDER DENYING CERTIFICATE
OF APPEALABILITY**

The Court today issued an order denying Geraldo Ojito’s petition for writ of habeas corpus. The Court finds Petitioner has not made a substantial showing of the denial of a constitutional right, and the standard for issuance of a certificate of appealability is not met. See 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000). The certificate of appealability is therefore **DENIED**.

IT IS SO ORDERED.

DATED: October 6, 2011


HONORABLE LARRY ALAN BURNS
United States District Judge