

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 07-cv-01197-WDM-KMT

WADE COLE,

Applicant,

v.

ARI ZAVARAS,

Respondent.

ORDER DENYING CERTIFICATE OF APPEALABILITY

Miller, Senior Judge

Applicant has filed a notice of appeal from this court's final order denying his Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254 and dismissing the action. I have reviewed the file and find that a certificate of appealability pursuant to 28 U.S.C. § 2253(c) should not be issued because Applicant has not made a substantial showing of the denial of a constitutional right. Accordingly, it is

ORDERED that a certificate of appealability will not be issued.

DATED at Denver, Colorado this 13th day of July, 2009.

BY THE COURT:

s/ Walker D. Miller

SENIOR JUDGE, UNITED STATES DISTRICT
COURT FOR THE DISTRICT OF COLORADO