

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Christine M. Arguello**

Civil Action No. 08-cv-01732-CMA-CBS

JOE NUNEZ,

Applicant,

v.

PEOPLE OF THE STATE OF COLORADO, and
THE ATTORNEY GENERAL OF THE STATE OF COLORADO,

Respondents.

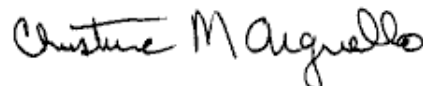
ORDER DENYING CERTIFICATE OF APPEALABILITY

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. The Court has reviewed the file and finds 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 17th day of July, 2009.

BY THE COURT:



CHRISTINE M. ARGUELLO
United States District Judge