

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior Judge Zita Leeson Weinshienk

Civil Action No. 08-cv-02164-ZLW

LEO SIMMONS,

Petitioner,

v.

ARI ZAVARAS, Executive Director,
BOB KURTZ, Warden, and
JOHN SUTHERS, The Attorney General of the State of Colorado,

Respondents.

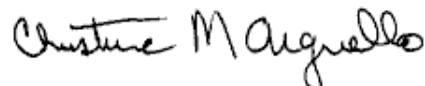
ORDER DENYING CERTIFICATE OF APPEALABILITY

This Court, in the above entitled proceedings, has rendered an Order denying Petitioner's Application For A Writ Of Habeas Corpus Pursuant To 28 U.S.C. § 2254 and dismissing the case. The Court has reviewed the record which conclusively shows that Petitioner is entitled to no relief. The reasons stated in the Order of Dismissal filed November 24, 2009, are incorporated herein by reference as though fully set forth. Accordingly, the Court finds that a certificate of appealability should not issue because petitioner has not made a substantial showing of the denial of a constitutional right. It is, therefore,

ORDERED that no certificate of appealability will issue.

DATED at Denver, Colorado, this 1st day of February, 2010.

BY THE COURT:



CHRISTINE M. ARGUELLO
United States District Judge for
ZITA LEESON WEINSHIENK
Senior Judge, United States District Court