

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

Civil Action No. 09-cv-00429-ZLW

ERNEST BRIM, aka  
BERNARD HORNE,

Petitioner,

v.

ARISTEDES W. ZAVARAS, Colorado "DOC" Executive Director, and  
THE ATTORNEY GENERAL OF THE STATE OF COLORADO  
JOHN SUTHERS, ESQ.,

Respondents.

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ORDER DENYING CERTIFICATE OF APPEALABILITY

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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 5, 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 23<sup>rd</sup> day of November, 2009.

BY THE COURT:



ZITA LEESON WEINSHIENK, Senior Judge  
United States District Court