

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 11-cv-02260-WYD-MJW

EUGENE DURAN,

Applicant,

v.

RAY TIMME, Warden CTCF, and
THE ATTORNEY GENERAL OF THE STATE OF COLORADO,

Respondents.

FINAL JUDGMENT

Pursuant to and in accordance with Fed. R. Civ. P. 58(a) and the Order Denying 28 U.S.C. § 2254 Application, filed on September 16, 2013, by the Honorable Wiley Y. Daniel, Senior United States District Judge, and incorporated herein by reference as if fully set forth, it is

ORDERED that the habeas corpus application is DENIED, and the action is DISMISSED WITH PREJUDICE. It is further

ORDERED that each party shall bear its own costs and attorney's fees. It is further

ORDERED that no certificate of appealability will issue because Applicant has not made a substantial showing of the denial of a constitutional right. It is further

ORDERED that leave to proceed in forma pauperis on appeal is denied.

DATED at Denver, Colorado this 16th day of September, 2013.

FOR THE COURT:

JEFFREY P. COLWELL, CLERK

By: s/ Edward P. Butler
Edward P. Butler,
Deputy Clerk