

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge William J. Martínez**

Civil Action No. 14-cv-1185-WJM

MARLON L. SMITH,

Applicant,

v.

LOU ARCHULETA, Warden, and
JOHN SUTHERS, The Attorney General of the State of Colorado,

Respondents.

FINAL JUDGMENT

In accordance with orders filed during the pendency of this case, and pursuant to Fed. R. Civ. P. 58(a)(1), the following Final Judgment is hereby entered.

Pursuant to the Order On Application for Writ of Habeas Corpus [48], filed on December 1, 2015, it is

ORDERED that:

1. Applicant Marlon L. Smith's Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254 [1] is **DENIED**.
2. The case is **DISMISSED WITH PREJUDICE**.
3. Each party shall bear his own costs and attorney's fees.
4. No certificate of appealability will issue because Applicant has not made a substantial showing of the denial of a constitutional right, pursuant to 28 U.S.C. § 2253(c).

Dated at Denver, Colorado, this 1st day of December, 2015.

BY THE COURT:

JEFFREY P. COLWELL, CLERK

By: s/Deborah Hansen
Deborah Hansen, Deputy Clerk