

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

HUGO QUENTAL BARROS,

Petitioner,

v.

Case No. 6:07-cv-484-Orl-35DAB

SECRETARY, DEPARTMENT OF
CORRECTIONS, and ATTORNEY GENERAL
OF THE STATE OF FLORIDA,

Respondents.

ORDER

This case is before the Court on the following motions:

1.

**MOTION: PETITIONER'S MOTION FOR LEAVE TO APPEAL IN
FORMA PAUPERIS (Doc. No. 35)**

FILED: July 7, 2009

THEREON it is ORDERED that the motion is DENIED.


Any appeal by Petitioner would not be taken in good faith under Federal Rule of Appellate Procedure 24(a) because Petitioner has failed to make a substantial showing of the deprivation of any federal constitutional right. Thus, Petitioner is not entitled to appeal as a pauper and shall pay the \$455.00 appellate filing fee as required by 28 U.S.C. § 1915(a).

2.

MOTION:	PETITIONER'S APPLICATION FOR A CERTIFICATE OF APPEALABILITY (Doc. No. 34)
FILED:	July 7, 2009
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THEREON it is ORDERED that the motion is DENIED.	

This Court should grant an application for certificate of appealability only if Petitioner makes "a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2). Petitioner has failed to make a substantial showing of the denial of a constitutional right.

DONE AND ORDERED in Chambers in Orlando, Florida, this 10th day of July, 2009.


MARY S. SCRIVEN
UNITED STATES DISTRICT JUDGE

Copies to:
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Counsel of Record
Hugo Quental Barros