

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

JAMES LEE COBB,

Petitioner,

v.

Case No.: 8:18-cv-283-CEH-SPF

Case No.: 8:14-cr-123-CEH-SPF

UNITED STATES OF AMERICA,

Respondent.

ORDER

An earlier order denied James Lee Cobb's motion under 28 U.S.C. § 2255. (Civ. Doc. 99) Subsequently, Cobb filed a notice of appeal from that order that includes a request for a certificate of appealability. (Civ. Doc. 103)

Cobb is not entitled to a certificate of appealability. To obtain a certificate of appealability, the petitioner must show that reasonable jurists would find debatable both (1) the merits of the underlying claims and (2) the procedural issues he seeks to raise. *See* 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 478 (2000); *Eagle v. Linahan*, 279 F.3d 926, 935 (11th Cir 2001). Because Cobb fails to show that reasonable jurists would debate either the merits of the claims or the procedural issues, he is not entitled to a certificate of appealability or to appeal *in forma pauperis*.

Cobb's request for a certificate of appealability (Civ. Doc. 103) included in the notice of appeal is **DENIED**. Leave to appeal *in forma pauperis* is **DENIED**. Cobb must obtain permission from the circuit court to appeal *in forma pauperis*.

DONE and **ORDERED** in Tampa, Florida on January 27, 2025.

Charlene Edwards Honeywell

Charlene Edwards Honeywell

United States District Judge

Copies to:
Pro Se Petitioner
Counsel of Record