

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION

DERRICK L. WYCHE

Petitioner,

v.

CASE NO. 4:10cv42-SPM/WCS

WALTER MCNEIL,

Respondent.

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ORDER DENYING CERTIFICATE OF APPEALABILITY

This cause comes before the Court on Petitioner's Motion for Certificate of Appealability. Doc. 21. The Court stands by its previous ruling on March 28, 2010 (doc. 16) that Petitioner has failed to make a substantial showing of the denial of a constitutional right or show that the resolution of the procedural issue is debatable among reasonable jurists. Slack v. McDaniel, 539 U.S. 473, 484 (2000). Accordingly, it is

ORDERED AND ADJUDGED: the Motion for Certificate of Appealability (doc. 21) is denied.

DONE AND ORDERED this 16th day of June, 2010.

s/ *Stephan P. Mickle*
Stephan P. Mickle
Chief United States District Judge