

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PANAMA CITY DIVISION**

JERRY LEE NICHOLS,

Petitioner,

vs.

CASE NO. 5:06cv58/RS-WCS

WALTER A. McNEIL, Secretary of
Florida Department of Corrections,

Respondent.

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ORDER

IT IS ORDERED that Petitioner shall file a memorandum addressing whether a certificate of appealability should issue not later than December 6, 2010. Respondent shall file a memorandum addressing whether a certificate of appealability should not be issued not later than December 20, 2010.

ORDERED on November 16, 2010.

/S/ Richard Smoak

RICHARD SMOAK
UNITED STATES DISTRICT JUDGE