



substantial showing of the denial of a constitutional right. Courts have construed this standard to require “an appealing petitioner to demonstrate that the issues are debatable among jurists of reason; that a court *could* resolve the issues [in a different manner]; or that the questions are adequate to deserve encouragement to proceed further.” Henry v. Dep’t of Corr., 197 F.3d 1361, 1364 (11th Cir. 1999) (internal quotations and citations omitted).

When tested under the foregoing standard, Petitioner’s application must be denied. As discussed in detail in both the magistrate judge’s recommendation and the Court’s Order accepting the same, Petitioner’s claims simply have not raised issues that this Court finds debatable or worthy of further encouragement. Accordingly, the Court finds that Petitioner has not made a substantial showing of the denial of a constitutional right. The Motion for Certificate of Appealability is denied. Having denied the Motion for Certificate of Appealability, the Court further finds that the Motion for Permission to Appeal In Forma Pauperis is moot.

**SO ORDERED**, this the 17<sup>th</sup> day of September, 2008.

s/ *Hugh Lawson*  
**HUGH LAWSON, JUDGE**

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