

FILED
U.S. DISTRICT COURT
SAVANNAH DIV.

IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF GEORGIA 2013 AUG 21 AM 10:52
WAYCROSS DIVISION

FRANKLIN L. WILLIAMS,)
)
Petitioner,)
)
v.)
)
UNITED STATES OF AMERICA,)
)
Respondent.)
)

CLERK
~~SO. DIST. OF GA.~~

CASE NOS. CV513-027
CR506-014

O R D E R

Before the Court are Petitioner Franklin L. Williams's Notice of Appeal, which this Court construes as a request for a Certificate of Appealability ("COA") and permission to proceed in forma pauperis on appeal (Doc. 11), and Motion to Transmit PSI and PSR Records on Appeal (Doc. 14).

Pursuant to 28 U.S.C. § 2253(c), an appeal may not be taken in this matter unless the court first issues a COA. This certificate may issue only if Petitioner has made a substantial showing of the denial of a constitutional right. Slack v. McDaniel, 529 U.S. 473, 484 (2000). The Court has carefully considered Petitioner's case and finds that he cannot meet the above standard. As a result, any request by Petitioner for leave to appeal in forma pauperis would be moot. As a result, Petitioner's construed motion (Doc. 11) must be DENIED.

In addition, the entire record in this case will be sent to the Eleventh Circuit as part of Petitioner's appeal. Therefore, Petitioner's Motion to Transmit PSI and PSR Records on Appeal (Doc. 14) is **DISMISSED AS MOOT**.

SO ORDERED this 21ST day of August 2013.



WILLIAM T. MOORE, JR.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA