

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF IDAHO

UNITED STATES OF AMERICA,

Plaintiff,

v.

HIGINIO TAFOLLA-GONZALEZ,

Defendant.

Case No. 4:11-cv-00181-BLW

**ORDER DENYING CERTIFICATE  
OF APPEALABILITY**

This matter is on remand for the Court to determine whether a Certificate of Appealability should issue. The Court declines to do so. Other than the single issue on which the defendant prevailed, the other issues did not even raise close questions. A reasonable jurist would not find the Court's analysis debatable or wrong. *Slack v. McDaniel*, 529 U.S. 473, 484 (2000). Accordingly,

NOW THEREFORE IT IS HEREBY ORDERED, that the Certificate of Appealability is DENIED.

IT IS FURTHER ORDERED, that the Clerk shall follow its established procedure for alerting the Ninth Circuit that this Order has issued, and providing the Circuit with access to the record of this case.

IT IS FURTHER ORDERED, that the Clerk shall close this case.



DATED: September 30, 2014

*B. Lynn Winmill*

B. Lynn Winmill

Chief Judge

United States District Court