

**IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ILLINOIS
SPRINGFIELD DIVISION**

RONALD WALKER, et al.,)	
)	
Petitioners,)	
)	
v.)	No. 07-3327
)	
LARRY PHILLIPS,)	
)	
Respondent.)	

OPINION

JEANNE E. SCOTT, U.S. District Judge:

This matter comes before the Court on Petitioners Ronald Walker and Ricky Wilcoxin’s Combined Motion for Certificate of Appealability: Notice of Appeal and Motion for Appointment of Counsel on Appeal (d/e 22, 23, 25, and 26). Petitioners’ requests for appointment of counsel on appeal will be forwarded to the Court of Appeals for its consideration.

The requests for certificates of appealability are denied. This Court dismissed the Petition (d/e 2) because the Petitioners were not entitled to habeas relief. Opinion entered December 3, 2008 (d/e 19), at 2-3. This Court may only issue certificates of appealability if a petitioner makes a substantial showing of a violation of a constitutional right. 28 U.S.C.

2253(c); Fed. R. App. P. 22(b). When a habeas petition is denied on procedural grounds, a certificate of appealability is appropriate only if a petitioner shows that jurists of reason would find it debatable whether the petition states a valid claim of the denial of a constitutional right. Slack v. McDaniel, 529 U.S. 473, 484 (2000). A reasonable jurist would not find this Court's ruling to be debatable. The Court therefore denies the requests for certificates of appealability.

THEREFORE, Petitioners Ronald Walker and Ricky Wilcoxin's Combined Motion for Certificate of Appealability: Notice of Appeal and Motion for Appointment of Counsel on Appeal (d/e 22, 23, 25, and 26) are DENIED in part. The requests for certificates of appealability (d/e 22 and 25) are denied, and the requests for appointment of counsel are referred to the Court of Appeals. The Clerk is directed to forward the Motion for Appointment of Counsel on Appeal (d/e 23 and 26) to the Court of Appeals for its consideration.

IT IS THEREFORE SO ORDERED.

ENTER: December 19, 2008

FOR THE COURT:

s/ Jeanne E. Scott
JEANNE E. SCOTT
UNITED STATES DISTRICT JUDGE