

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT LOUISVILLE

ERIK HAMILTON

PETITIONER

v.

CIVIL ACTION NO. 3:09CV-P594-H

LADONNA THOMPSON *et al.*

RESPONDENTS

ORDER

For the reasons set forth in the Memorandum Opinion entered this date and being otherwise sufficiently advised, **IT IS HEREBY ORDERED** that the petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 is **DENIED** and that the action is **DISMISSED**.

IT IS HEREBY FURTHER ORDERED that a certificate of appealability is **DENIED**. 28 U.S.C. § 2253(c); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000). This Court **certifies** that an appeal would be frivolous and therefore not taken in good faith. *See* 28 U.S.C. § 1915(a)(3).

The petitioner shall direct any further request for certificate of appealability or appeal *in forma pauperis* to the Sixth Circuit Court of Appeals pursuant to the requirements of Fed. R. App. P. 22(b) and 24, respectively.

There being no just reason for delay in its entry, this is a final and appealable order.

Date: December 9, 2009



John G. Heyburn II, Judge
United States District Court

cc: Petitioner, *pro se*
Respondents
Attorney General, Commonwealth of Kentucky, Office of Criminal Appeals, 1024 Capital Center Drive,
Frankfort, KY 40601

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