

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

ALFRED RICARD

VERSUS

WARDEN STEVE RADER, ET AL.

CIVIL ACTION

NO. 08-0161-RET-CN

RULING ON MOTION FOR CERTIFICATE OF APPEALABILITY

Having separately issued a final Order in connection with the above-captioned proceeding, in which the detention complained of arises out of process issued by a state court or the final order in a proceeding under 28 U.S.C. § 2255, and having considered the record in the case and the requirements of 28 U.S.C. § 2253 and Rule 22(b) of the Federal Rules of Appellate Procedure, the Court hereby finds that:

\_\_\_\_\_ a substantial showing of the denial of a constitutional right on the issues(s) stated below having been made, the petitioner's Motion for a Certificate of Appealability is **GRANTED**.

ISSUE(S):

X a substantial showing of the denial of a constitutional right having not been made, the petitioner's Motion for a Certificate of Appealability is **DENIED** for the reasons set forth in the Magistrate Judge's Report.

Baton Rouge, Louisiana, this 29<sup>th</sup> day of March, 2010.

  
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RALPH E. TYSON, CHIEF JUDGE  
UNITED STATES DISTRICT COURT

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