

U. S. DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
RECEIVED - ALEXANDRIA

APR 15 2009

ROBERT H. SHERMANN, CLERK  
BY ah  
DEPUTY

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAKE CHARLES DIVISION

GORDON STRAKER

CIVIL ACTION NO. 2:08CV0995

VERSUS

JUDGE TRIMBLE

ICE, ET AL

MAGISTRATE JUDGE KAY

CERTIFICATE OF APPEALABILITY

A final order having been filed in the above-captioned habeas case, the court, considering the record in this case and the requirements of 28 U.S.C. § 2253, hereby finds that:

The certificate of appealability is DENIED because the applicant has failed to demonstrate a substantial showing of the denial of a constitutional right.

The certificate of appealability is GRANTED for the below reasons:

The applicant has made a substantial showing that the following issues constitute a denial of a constitutional right:

Signed at Alexandria, Louisiana, this 15<sup>th</sup> Day of April, 2009.

James T. Trimble, Jr.  
James T. Trimble, Jr.  
UNITED STATES DISTRICT JUDGE