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WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA, LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

JAMES CUMMINGS

CIVIL ACTION NO. 2:09CV1901

VERSUS

JUDGE TRIMBLE

WARDEN, LSP

MAGISTRATE JUDGE KAY

CERTIFICATE OF APPEALABILITY

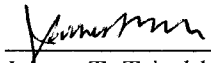
A final order having been filed in the above-captioned habeas case, the court, considering the record in this case and the requirements of 28 U.S.C. § 2253, hereby finds that:

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 22nd Day of September, 2010.


James T. Trimble, Jr.
UNITED STATES DISTRICT JUDGE