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BY *[Signature]* **KENNETH MONTGOMERY**

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION**

CIVIL ACTION NO. 2:12CV3104

VERSUS

JUDGE MINALDI

**WARDEN CALCASIEU CORR.
CENTER**

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 Lake Charles, Louisiana, this 2 day of Jan, 2014 *[Signature]*

[Signature]

Patricia Minaldi
UNITED STATES DISTRICT JUDGE