

JAN 20 2009

ROBERT H. SHEM WELL, CLERK
BY [Signature]
DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION

KATHLEEN JENNINGS

CIVIL ACTION NO. 3:08CV304

VERSUS

JUDGE JAMES

WARDEN, LCIW

MAGISTRATE JUDGE HAYES

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 Monroe, Louisiana, this 20 day of January 2009.

[Signature]

Robert G. James
UNITED STATES DISTRICT JUDGE