

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION**

WILLIE LEE SMITH

CIVIL ACTION NO. 09-1530

VERSUS

JUDGE ROBERT G. JAMES

**WARDEN, DAVID WADE
CORRECTION CENTER**

MAG. JUDGE KAREN L.HAYES

ORDER

The Petitioner has filed a Motion for a Certificate of Appealability [Doc. No. 8] in the above-captioned habeas case. Upon consideration of the record, the requirements of 28 U.S.C. § 2253, and the Supreme Court's decision in Slack v. McDaniel, 529 U.S. 473, 478 (2000),

IT IS HEREBY ORDERED that the certificate of appealability is DENIED because the applicant has failed to show that jurists of reason would find it debatable whether the district court was correct in its procedural ruling.

MONROE, LOUISIANA, this 21st day of December, 2009.


ROBERT G. JAMES
UNITED STATES DISTRICT JUDGE