

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

<b>MICKEY WAYNE ANTLEY</b>	<b>*</b>	<b>CIVIL ACTION NO. 14-3307 SEC. P.</b>
<b>VERSUS</b>	<b>*</b>	<b>JUDGE ROBERT G. JAMES</b>
<b>DEPUTY SLADE DARDEN, ET AL.</b>	<b>*</b>	<b>MAG. JUDGE KAREN L. HAYES</b>

**MEMORANDUM ORDER**

This is a civil rights action under 42 U.S.C. § 1983, in which Plaintiff Mickey Wayne Antley (“Antley”) brought claims against Defendants for the alleged use of excessive force and violations of his Fourth Amendment rights. On May 6, 2016, the Court issued a Judgment [Doc. No. 41] adopting the Report and Recommendation of the Magistrate Judge and denying Antley’s Motion for Summary Judgment [Doc. No. 33].

On June 8, 2016, Antley filed a “Request for Certificate of Appealability” [Doc. No. 42]. The Court must consider whether to grant or deny a certificate of appealability after a final judgment issues in a *habeas* case. This is not a *habeas* case, and no final judgment has issued.

As Antley is acting *pro se*, the Court has considered whether he may be seeking leave to file an interlocutory appeal. However, as required by 28 U.S.C. § 1292, Antley has failed to show that the Court’s Judgment “involves a controlling question of law as to which there is substantial ground for difference of opinion and that an immediate appeal from the order may materially advance the ultimate termination of the litigation.” Accordingly,

Antley's Request for Certificate of Appealability is DENIED.

MONROE, LOUISIANA, this 10<sup>th</sup> day of June, 2016.

  
ROBERT G. JAMES  
UNITED STATES DISTRICT JUDGE