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

JASON REBARDI

CIVIL ACTION NO. 06-2255

VS.

SECTION P

BURL CAIN, WARDEN

JUDGE HAIK

ORDER

Before the Court is petitioner's Notice of Appeal [rec. doc. 23] and Motion for Certificate of Appealability [rec. doc. 24] filed herein on July 2, 2009. The record having been considered, it is,

ORDERED that petitioner's Motion for Certificate of Appealability [rec. doc. 24] is **DENIED** because petitioner has failed to demonstrate a substantial showing of the denial of a constitutional right.

In Chambers, Lafayette, Louisiana
2009.

July 9, 2009
Richard T. Haik

**RICHARD T. HAIK, SR.
UNITED STATES DISTRICT JUDGE**