

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MARIO RODRIGUEZ,

Movant,

CASE NO. 08-CV-13263

HONORABLE GEORGE CARAM STEEH

v.

GREG McQUIGGIN,

Warden.

ORDER DENYING ISSUANCE OF CERTIFICATE OF APPEALABILITY

On July 20, 2015, the court denied movant Mario Rodriguez's motion for relief from judgment. (Doc. #27). Under Fed. R. App. P. 22, an appeal may not proceed absent a certificate of appealability ("COA") issued under 28 U.S.C. § 2253. A COA may issue "only if the applicant has made a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2). The court finds no substantial showing of the denial of a constitutional right was made by Rodriguez, and accordingly DENIES the issuance of a certificate of appealability.

IT IS SO ORDERED.

Dated: September 15, 2015

s/George Caram Steeh

GEORGE CARAM STEEH

UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on September 15, 2015, by electronic and/or ordinary mail and also on Mario H. Rodriguez #288697, Kinross Correctional Facility, 16770 S. Watertower Drive, Kincheloe, MI 49788.

s/Barbara Radke
Deputy Clerk