

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
FAYETTEVILLE DIVISION

JAMES K. MOORE

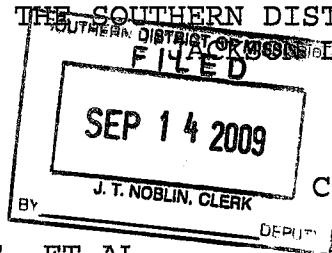
PETITIONER

VS.

CIVIL ACTION NO. 3:07CV157TSL-JCS

CHRISTOPHER EPPS, ET AL.

RESPONDENTS



## CERTIFICATE OF APPEALABILITY

A notice of appeal having been filed in the captioned habeas corpus case, in which the detention complained of arises out of process issued by a state court pursuant to 28 U.S.C. § 2254, considering the record in the case and the requirements of 28 U.S.C. § 2253 and Rule 22(b) of the Federal Rules of Appellate Procedure, hereby finds that:

Part A

A certificate of appealability should issue.  
(See reasons below.)

A certificate of appealability should not issue. (See reasons below.)

Part B

The party appealing is a pauper.

The party appealing is not a pauper. (See reasons below.)

## REASONS:

Petitioner has failed to make a substantial showing of the denial of a constitutional right.

Date: 9/14/09  
UNITED STATES DISTRICT JUDGE