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

OSVALDO FALCON

VS. CIVIL ACTION NO. 5:17-cv-72-KS-MTP

WARDEN "UNKNOWN" BERKEBILE

CERTIFICATE OF APPEALABILITY

A Notice of Appeal having been filed in the above 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, and the Court, 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:

A Certificate of Appealability should not issue.

The party appealing is not a pauper.

Reasons:

This Court finds that the Petitioner has failed to make a substantial showing of a violation of a Constitutional or statutory right.

SO ORDERED AND ADJUDGED on this, the 29th day of March, 2018..

s/Keith Starrett
KEITH STARRETT
UNITED STATES DISTRICT COURT JUDGE

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