

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

PAUL T. GOODWIN,	)	
	)	
Petitioner,	)	
	)	
vs.	)	Case No. 4:06CV848 HEA
	)	
DON ROPER,	)	
	)	
Respondent.	)	

**MEMORANDUM AND ORDER**

This matter is before the Court on the Eighth Circuit Court’s limited remand for consideration of whether a certificate of appealability should be issued pursuant to *Tiedeman v. Benson*, 122 F.3d 518 (8th Cir. 1997). In order for this Court to grant a certificate of appealability, the Court must find a substantial showing of the denial of a federal constitutional right. See *Tiedeman*, 122 F.3d at 522 (8th Cir.1997). A substantial showing is a showing that issues are debatable among reasonable jurists, a court could resolve the issues differently, or the issues deserve further proceedings. *Cox v. Norris*, 133 F.3d 565, 569 (8th Cir.1997) (citing *Fleiger v. Delo*, 16 F.3d 878, 882–83 (8th Cir.1994)). Because Petitioner has not made such a showing, the Court will not issue a certificate of appealability.

Accordingly,

**IT IS HEREBY ORDERED** that a Certificate of Appealability will not issue in this matter.

Dated this 12th day of March, 2014.

A handwritten signature in cursive script, reading "Henry Edward Autrey". The signature is written in black ink and is positioned above a horizontal line.

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HENRY EDWARD AUTREY  
UNITED STATES DISTRICT JUDGE