

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

DAROLD WALKER,)	
)	
Petitioner,)	
)	
v.)	No. 4:13-cv-182-JAR
)	
CINDY GRIFFITH,)	
)	
Respondent.)	

MEMORANDUM AND ORDER

This matter is before the Court on Petitioner Darold Walker’s Motion for Leave to Appeal In Forma Pauperis (Doc. No. 22) and Application for Reconsideration for Certificates of Appealability (Doc. No. 20) as to Grounds 3 and 4 of his habeas petition challenging alleged errors by the post-conviction motion court.

On February 16, 2016, this Court entered an order denying Petitioner's petition for writ of habeas corpus. (Doc. No. 18) That order further denied Petitioner a certificate of appealability. A certificate of appealability will be issued “only if the applicant has made a substantial showing of the denial of a constitutional right” and has “indicate[d] which specific issue or issues satisfy the showing required.” 28 U.S.C. § 2253(c)(2), (3). Additionally, “the petitioner ‘must demonstrate that the issues are debatable among jurists of reason; that a court could resolve the issues [in a different manner]; or that the questions are adequate to deserve encouragement to proceed further.’ ” Randolf v. Kemna, 276 F.3d 401, 403 n. 1 (8th Cir. 2002) (internal citations omitted). As the Court concluded in its February 16, 2016 order, Petitioner has not met this standard in that claims of errors in a state post-conviction proceeding do not raise constitutional issues cognizable in a federal habeas petition. Therefore, Petitioner’s application will be denied.

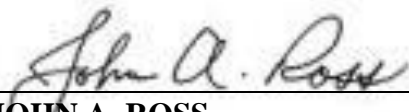
Petitioner has also sought leave to proceed in forma pauperis on appeal. Upon review of the record in this matter, this Court had previously found Petitioner financially unable to pay any portion of the required filing fee in this Court (Doc. No. 3) and shall therefore grant his request on appeal.

Accordingly, after careful review and consideration,

IT IS HEREBY ORDERED that Petitioner's Motion for Leave to Appeal in Forma Pauperis [22] is **GRANTED**.

IT IS FURTHER ORDERED that Petitioner's Application for Reconsideration for Certificates of Appealability [20] is **DENIED**.

Dated this 15th day of March, 2016.



JOHN A. ROSS
UNITED STATES DISTRICT JUDGE