

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

TERRANCE JOHNSON,)	
)	
Petitioner,)	
)	
vs.)	Case No. 4:13CV2186ERW (ACL)
)	
TROY STEELE,)	
)	
Respondent.)	

MEMORANDUM AND ORDER

This matter is before the Court upon the Report and Recommendation of United States Magistrate Abbie Crites-Leoni [ECF No. 17], pursuant to 28 U.S.C. § 636(b). The Court notes no objections were filed to the Report and Recommendation. After consideration of the issues and review of the record, the Court hereby sustains, adopts, and incorporates herein the Magistrate’s Report and Recommendation.

In addition, a certificate of appealability may only be issued when “the applicant has made a substantial showing of the denial of a constitutional right.” *See Slack v. McDaniel*, 529 U.S. 473, 483 (2000) (quoting 28 U.S.C. § 2253(c)(2)); *see also Langley v. Norris*, 465 F.3d 861, 863 (8th Cir. 2006). Petitioner has made no such showing. Furthermore, the Court does not believe reasonable jurists might find the Court’s decision debatable or wrong, for purposes of issuing a certificate of appealability under 28 U.S.C. § 2253(c)(1)(A). *See Slack*, 529 U.S. at 483-84. Therefore, the Court shall not issue a certificate of appealability as to any claim raised in the Petition.

Accordingly,

IT IS HEREBY ORDERED that Petitioner Terrance Johnson's Petition for Writ of Habeas Corpus under 28 U.S.C. § 2254 [ECF No. 1] is **DENIED**.

IT IS FURTHER ORDERED that a Certificate of Appealability is **DENIED**.

So Ordered this 15th day of February, 2017.



E. RICHARD WEBBER
SENIOR UNITED STATES DISTRICT JUDGE