

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

MARLAN PENTON,

Petitioner,

v.

CINDY GRIFFITH,

Respondent,

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No. 4:15CV1097 RWS

MEMORANDUM AND ORDER

This matter is before me on petitioner's motion for a certificate of appealability and motion for appointment of counsel. Petitioner has not met the requirements for the issuance of a certificate of appealability. Also, this Court does not appoint counsel in closed cases.

Accordingly,

IT IS HEREBY ORDERED that petitioner's motion for rehearing [ECF No. 6] and motion for appointment of counsel [ECF No. 7] are **DENIED**.

Dated this 11th day of August, 2015.



RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE