

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

JULIUS WORTHY,	)	
	)	
Petitioner,	)	
	)	
v.	)	No. 4:15CV1503 SNLJ
	)	
JAMES HURLEY,	)	
	)	
Respondent,	)	

**MEMORANDUM AND ORDER**

Before the Court is petitioner's post-dismissal request for a certificate of appealability. The Court dismissed petitioner's habeas petition on October 26, 2015, as time-barred and denied him a certificate of appealability on that date.

If a federal court denies a habeas application on procedural grounds without reaching the underlying constitutional claims, the court is not required to issue a certificate of appealability unless the petitioner demonstrates that jurists of reason would find it debatable: (1) whether the application states a valid claim of the denial of a constitutional right; and (2) whether the court was correct in its procedural ruling. *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

The Court finds that petitioner has not shown that jurists of reason would find it debatable that his application states a valid claim of the denial of a constitutional right. As such, the Court will deny his application for certificate of appealability.

Accordingly,

**IT IS HEREBY ORDERED** that petitioner's request for certificate of appealability [Doc. #7] is **DENIED**.

Dated this 17<sup>th</sup> day of December, 2015.

  
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STEPHEN N. LIMBAUGH, JR.  
UNITED STATES DISTRICT JUDGE