

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

FILED
JAN 28 2013
Clerk, U.S. District Court
District Of Montana
Billings

JOHN ROBERT DEMOS,

Cause No. CV 13-13-BLG-RFC

Petitioner,

vs.

ORDER DISMISSING PETITION
AND DENYING CERTIFICATE
OF APPEALABILITY

U.S. SECRETARY OF DEFENSE,
et al.,

Respondents.

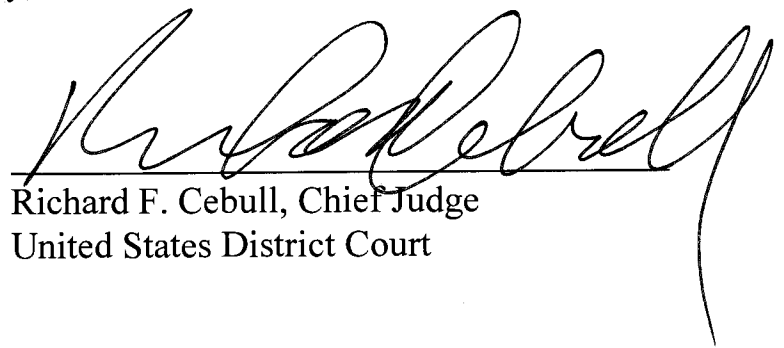
On January 22, 2013, Petitioner John Robert Demos submitted a petition for writ of habeas corpus under 28 U.S.C. §§ 2241 and 2254. Demos is a state prisoner proceeding pro se.

Demos challenges a criminal judgment entered in the State of Washington. This Court has no jurisdiction to hear his petition. A certificate of appealability is not warranted as there is no doubt at all about the procedural ruling. Transfer is not warranted as the face of the petition shows that Demos has already filed elsewhere.

Accordingly, IT IS HEREBY ORDERED as follows:

1. The petition is DISMISSED as frivolous.
2. A certificate of appealability is DENIED.
3. The Clerk of Court shall, by separate document, enter a judgment of dismissal.
4. Other than a notice of appeal, Demos may not file any further document in this case. No motions for reconsideration, amendment, or of any other kind will be entertained. They will be stricken if filed.

DATED this 20th day of January, 2013.



Richard F. Cebull, Chief Judge
United States District Court