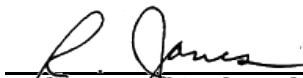


1 the petitioner "has made a substantial showing of the denial of a constitutional right."
2 With respect to claims rejected on the merits, a petitioner "must demonstrate that
3 reasonable jurists would find the district court's assessment of the constitutional claims
4 debatable or wrong." *Slack v. McDaniel*, 529 U.S. 473, 484 (2000) (citing *Barefoot v.*
5 *Estelle*, 463 U.S. 880, 893 & n.4 (1983)). For procedural rulings, a COA will issue only if
6 reasonable jurists could debate (1) whether the petition states a valid claim of the denial
7 of a constitutional right and (2) whether the court's procedural ruling was correct. *Id.*
8 Having reviewed its determinations and rulings in adjudicating Volpicelli's motion, the
9 court finds that none of those rulings meets the *Slack* standard. The court therefore
10 declines to issue a certificate of appealability for its resolution of Volpicelli's motion.

11 **IT IS THEREFORE ORDERED** that a certificate of appealability is denied.

12
13 April 19, 2022.

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16 ROBERT C. JONES
17 UNITED STATES DISTRICT JUDGE
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