

FILED  
CLERK

3:09 pm, Jan 18, 2017

U.S. DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
LONG ISLAND OFFICE

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----x  
ROBERT DU PURTON,

Petitioner,

-against-

UNITED STATES OF AMERICA,

Respondent.

-----x  
Short Form Order  
15-cv-1026(ADS)

**APPEARANCES:**

**Carlton Fields Jorden Burt, P.A.**

*Attorneys for the Petitioner*  
405 Lexington Avenue, 29th Floor  
New York, New York 10174

By: Brian Rosner, Esq., Of Counsel

**U.S. Attorney's Office, Eastern District of New York**

*Attorneys for the Government*  
271 Cadman Plaza East  
Brooklyn, New York 11201  
By: Paul G. Scotti, Assistant U.S. Attorney

**SPATT, District Judge:**

By Memorandum of Decision and Order dated December 16, 2016, the Court denied the Petitioner's application for a writ of error *coram nobis* and closed this case.

Now, for substantially the same reasons as set forth in its prior opinion, the Court finds that the Petitioner's failure to demonstrate the denial of a constitutional right precludes his entitlement to a certificate of appealability. *See* 28 U.S.C. § 2253(c)(2).

It is SO ORDERED:

Dated: Central Islip, New York  
January 18, 2017

*/s/ Arthur D. Spatt*

ARTHUR D. SPATT  
United States District Judge