| UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK | DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: October 10, 20 |
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| DOMINIQUE JEAN PHILIPPE | : |
| Petitioner, | · : |
| -V- | : 12-cr-802 (KBF) : 16-cv-7918 (KBF) |
| UNITED STATES OF AMERICA, | : <u>OPINION & ORDER</u> : |
| Respondent. | : : |
| KATHERINE B. FORREST, District Judge: | : X |

The Court is in receipt of petitioner's motion for permission to file a Certificate of Appealability. (ECF No. 2.) As stated in this Court's Opinion issued on August 10, 2017, the Court "declines to issue a certificate of appealability, as Philippe has not made a substantial showing of a denial of a federal right." (ECF No. 2 at 19.) As such, the Court DENIES the motion at ECF No. 3.

SO ORDERED.

Dated: New York, New York

October 10, 2017

KATHERINE B. FORREST United States District Judge

USDC SDNY