

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
Rafael Jimenez,

Plaintiff,

16 **CIVIL** 8545 (AJN)

-against-

JUDGMENT

Tina M. Stanford,

Defendant.

-----X

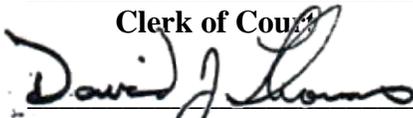
It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Opinion and Order dated September 15, 2021, AEDPA limits this Court's review of a state habeas decision to whether the state court made an unreasonable determination of fact or law. The Court cannot say the state court that rejected Jimenez's actual-innocence and *Brady* claims so grievously erred. It thus DENIES his petition for a writ of habeas corpus. The Court finds that Jimenez has made a substantial showing of the denial of a constitutional right on his actual-innocence claim but not on his *Brady* claim, and so issues a certificate of appealability limited to his actual-innocence claim. *See Love v. McCray*, 413 F.3d 192, 195 (2d Cir. 2005) (per curiam); accordingly, the case is closed.

DATED: New York, New York
September 15, 2021

RUBY J. KRAJICK

Clerk of Court

BY:



Deputy Clerk