

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

JASON WAYNE HURST,)
)
Petitioner,)
)
v.)
)
KENNETH LASSITER,)
Warden, Central Prison,)
Raleigh, North Carolina,)
)
Respondent.)

1:10CV725

JUDGMENT

For the reasons set forth in the Memorandum Opinion and Order filed contemporaneously with this Judgment,

IT IS HEREBY ORDERED AND ADJUDGED that Respondent's Motion for Summary Judgment (Doc. 17) is GRANTED and this action is DISMISSED WITH PREJUDICE.

Petitioner has made a sufficiently substantial showing of the denial of a constitutional right under 28 U.S.C. § 2253(c)(2) to warrant the grant of a certificate of appealability with respect to the issue of whether the juror's contact with her father violated Petitioner's Sixth Amendment rights under the United States Constitution (Claim I). A certificate of appealability is therefore issued on this question. 28 U.S.C. § 2253(c)(3).

/s/ Thomas D. Schroeder
United States District Judge

March 31, 2013