

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:08CV470-1-MU

STANFIELD KEY, )  
 )  
 Petitioner, )  
 )  
 v. )  
 )  
 STATE OF NORTH CAROLINA, )  
 )  
 Respondent. )  
 \_\_\_\_\_ )

**ORDER**

**THIS MATTER** comes before the Court upon Petitioner's Motion for Certificate of Appealability (Doc. No. 16 ), filed June 9, 2010.

On October 7, 2008, Petitioner filed a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254. On June 2, 2010, this Court dismissed Petitioner's habeas petition. Petitioner has now filed the instant Motion for Certificate of Appealability. Pursuant to Rule 11(a) of the Rules Governing Section 2254 Cases, this Court declines, after reviewing the record, to issue a certificate of appealability as jurists of reason would not find it debatable that the petition states a valid claim of the denial of a constitutional right and that the district court was incorrect in its procedural ruling. 28 U.S.C. § 2253(c)(2); Slack v. McDaniel, 529 U.S. 473, 484 (2000).

**THEREFORE, IT IS HEREBY ORDERED** that Petitioner's Motion for Certificate of Appealability (Doc. No. 16 ) is **DENIED**.

Signed: June 16, 2010



Graham C. Mullen  
United States District Judge



