

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

BRADLEY YOUNG,	:	Case No. 1:20-cv-887
	:	
Petitioner,	:	Judge Timothy S. Black
	:	
vs.	:	Magistrate Judge Stephanie K.
	:	Bowman
	:	
WARDEN, MARION	:	
CORRECTIONAL INSTITUTION,	:	
	:	
Respondent.	:	

**ORDER DENYING ISSUANCE OF
A CERTIFICATE OF APPEALABILITY**

In an Order dated August 24, 2021 (Doc. 16), the Court denied Petitioner Bradley Young’s motions for extension of time (Docs. 11, 13), and his motion for relief from judgment (Doc. 12). With respect to that Order, the Court now denies Petitioner a certificate of appealability.

Pursuant to 28 U.S.C. § 2253(c)(2), “a certificate of appealability may issue ... only if the applicant has made a substantial showing of the denial of a constitutional right.” Where, however, “the district court denies a habeas petition on procedural grounds without reaching the prisoner’s underlying constitutional claim, a [certificate of appealability] should issue when the prisoner shows, at least, that jurists of reason would find it debatable whether the petition states a valid claim of the denial of a constitutional right *and* that jurists of reason would find it debatable whether the district court was correct in its procedural ruling.” *Slack v. McDaniel*, 529 U.S. 473, 484 (2000) (emphasis supplied).

Here, the Court concludes that no jurists of reason could debate that Petitioner is barred from review by the one-year statute of limitations governing habeas corpus actions brought pursuant to 28 U.S.C. § 2254. Accordingly, there is no basis upon which to issue a certificate of appealability.

Based upon the foregoing, the Court **DENIES** issuance of a certificate of appealability.

IT IS SO ORDERED.

Date: 1/7/2022

s/ Timothy S. Black
Timothy S. Black
United States District Judge