

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

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| KENNETH MARSHALL, | : | |
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| Petitioner, | : | Civil Action 2:14-cv-812 |
| | | |
| v. | : | JUDGE GREGORY L. FROST |
| | | |
| WARDEN, PICKAWAY CORRECTIONAL INSTITUTION, | : | Magistrate Judge Elizabeth P. Deavers |
| | | |
| Respondent. | : | |

ORDER

Plaintiff’s Motion/Petition for a Certificate of Appealability (ECF No. 49) is **DENIED AS MOOT**. The Court has already set forth its reasons for declining to issue a certificate of appealability in its July 31, 2015 Order. (ECF No. 42.)

IT IS SO ORDERED.

/s/ Gregory L. Frost
GREGORY L. FROST
UNITED STATES DISTRICT JUDGE