Pruitt v. Parker Doc. 28

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF OKLAHOMA

JOHN PRUITT,	)	
	)	
Petitioner,	)	
	)	
v.	)	**No. CIV 09-341-FHS-KEW**
	)	
DAVID PARKER, Warden,	)	
	)	
Respondent.	)	

ORDER AND OPINION
DENYING CERTIFICATE OF APPEALABILITY

Petitioner has filed a notice of intent to appeal the court's order entered March 9, 2010, denying his petition for a writ of habeas corpus. After a careful review of the record the court concludes petitioner has failed to make a "substantial showing of the denial of a constitutional right," as required by 28 U.S.C. § 2253(c)(2). The court further finds that petitioner has not "demonstrate[d] that reasonable jurists would find [this] court's assessment of the constitutional claims debatable or wrong." *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

ACCORDINGLY, petitioner is denied a certificate of appealability.

DATED this 5th day of April, 2010.

Frank H. Seay
United States District Judge

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