

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

<b>JERRY D. HODGES,</b>	)	
	)	
Petitioner,	)	
	)	
v.	)	<b>No. CIV 10-365-RAW-KEW</b>
	)	
<b>JANET DOWLING, Warden,<sup>1</sup></b>	)	
	)	
Respondent.	)	

**OPINION AND ORDER**  
**DENYING CERTIFICATE OF APPEALABILITY**

Petitioner has filed a notice of intent to appeal the court’s order entered March 24, 2014, 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. *See* Rule 11(a) of the Rules Governing Section 2254 Cases.

**IT IS SO ORDERED** this 8th day of April 2014.



**RONALD A. WHITE**  
**UNITED STATES DISTRICT JUDGE**

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<sup>1</sup>Plaintiff’s custodian is Warden Janet Dowling, so she is the proper respondent. *See* Rule 2(a) of the Rules Governing Section 2254 Cases; *Braden v. 30th Judicial Circuit Court of Ky.*, 410 U.S. 484, 494-95 (1973).