

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

**HARRY WAYNE MILLER, JR.,** )  
)  
Petitioner, )  
)  
v. )  
)  
**ANITA TRAMMELL, Warden** )  
)  
Respondent. )

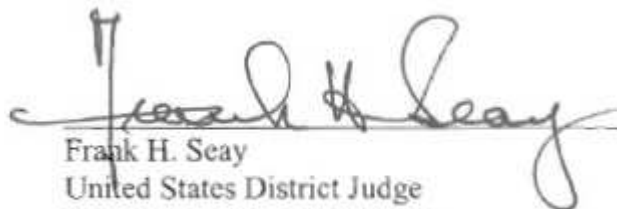
**No. CIV 10-487-FHS-KEW**

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

On this date the court dismissed petitioner’s petition for a writ of habeas corpus as barred by the statute of limitations. After careful review of the record, the court concludes petitioner has not shown “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 [this] court was correct in its procedural ruling.” *Slack v. McDaniel*, 529 U.S. 473, 484 (2000). See also 28 U.S.C. § 2253(c).

Accordingly, petitioner is denied a certificate of appealability.

IT IS SO ORDERED this 3<sup>rd</sup> day of August, 2011.

  
Frank H. Seay  
United States District Judge  
Eastern District of Oklahoma