

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

**FILED**

MAR 25 2014

**JEFFREY NIGEL HOWARD,** )  
 )  
 Petitioner, )  
 )  
 v. )  
 )  
 **CHARLES PEARSON, Sheriff,** )  
 )  
 Respondent. )

**PATRICK KEANEY**  
Clerk, U.S. District Court  
By \_\_\_\_\_  
Deputy Clerk


Case No. CIV 13-115-RAW-KEW

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

On this date the court dismissed petitioner’s petition for a writ of habeas corpus for his failure to exhaust state court remedies. After a 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. See Rule 11(a) of the Rules Governing Section 2254 Cases. See also *Montez v. McKinna*, 208 F.3d 862, 867 (10th Cir. 2000) (holding that “a state prisoner must obtain a COA to appeal the denial of a habeas petition, whether such petition was filed pursuant to § 2254 or § 2241”).

**IT IS SO ORDERED** this 25<sup>th</sup> day of March 2014.

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