

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
AIKEN DIVISION

Patrick Bertram Walker, #296176, )  
Petitioner, ) C.A. No. 1:09-2672-HMH  
vs. )  
Warden of Broad River Correctional )  
Institution, )  
Respondent. ) **OPINION AND ORDER**

This matter is before the court on limited remand from the United States Court of Appeals for the Fourth Circuit for the court to issue or deny a certificate of appealability. A court may issue a certificate of appealability “only if the applicant has made a substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2). After review, the court finds that the petitioner has failed to satisfy the legal standard to issue a certificate of appealability.

It is therefore

**ORDERED** that a certificate of appealability is denied.

**IT IS SO ORDERED.**

s/Henry M. Herlong, Jr.  
Senior United States District Judge

Greenville, South Carolina  
October 12, 2010