

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

TERRY DONELLE SANDERS #205630,)	
)	
Petitioner,)	
)	No. 3:16-cv-02763
v.)	
)	Judge Roberts
TAMMY FORD,)	
)	
Respondent.)	

ORDER

Petitioner Terry Donelle Sanders, a state prisoner serving an effective sentence of thirty years for two counts of sale of less than .5 grams of cocaine, has filed a pro se petition under 28 U.S.C. § 2254 for the writ of habeas corpus. (ECF No. 1.) Respondent has filed an answer, along with a copy of portions of the state court record. (ECF Nos. 28, 29.) For the reasons set forth in the accompanying Memorandum, Petitioner is not entitled to relief under § 2254 on any of his claims. Accordingly, the petition is hereby **DENIED** and this action is **DISMISSED** with prejudice.

The Court must issue or deny a certificate of appealability (“COA”) when it enters a final order adverse to a § 2254 petitioner. Rule 11, Rules Gov’g § 2254 Cases. A petitioner may not take an appeal unless a district or circuit judge issues a COA. 28 U.S.C. § 2253(c)(1); Fed. R. App. P. 22(b)(1). A COA may issue only if a petitioner “has made a substantial showing of the denial of a constitutional right,” 28 U.S.C. § 2253(c)(2). A “substantial showing” is made when a petitioner demonstrates that “reasonable jurists could debate whether (or, for that matter, agree that) the petition should have been resolved in a different manner or that the issues presented were adequate to deserve encouragement to proceed further.” *Miller–El v. Cockrell*, 537 U.S. 322, 336 (2003) (citations and internal quotation marks omitted). “[A] COA does not require a showing that the appeal will succeed,” but courts should not issue a COA as a matter of

course. *Id.* at 337.

Because reasonable jurists could not debate whether Petitioner is entitled to relief on any of his claims, the Court **DENIES** a certificate of appealability. Petitioner may still seek a COA directly from the Sixth Circuit Court of Appeals. Rule 11(a), Rules Gov'g § 2254 Cases.

It is so ORDERED.

/s/ Victoria A. Roberts
Victoria A. Roberts
United States District Judge
Sitting by Special Designation

Dated: September 6, 2017

The undersigned certifies that a copy of this document was served on the attorneys of record and Terry Donnell Sanders by electronic means or U.S. Mail on September 6, 2017.

/s/Linda Vertriest
Deputy Clerk