

JEFFREY GAYLON DOUGLAS, )  
)  
Petitioner, )  
)  
v. ) No. 13-1129  
)  
HENRY STEWARD, )  
Warden of NWCX, )  
)  
Respondent. )  
)

On February 4, 2015, Petitioner, Jeffrey Gaylon Douglas, filed a Motion for Certificate of Appealability (“COA”). (Docket Entry (“D.E.”) 46.) A COA may only be issued if the applicant has made a substantial showing of a denial of a “constitutional” right. *See* 28 U.S.C. § 2253(c)(2); *Tennard v. Dretke*, 542 U.S. 274, 282 (2004); *Harbison v. Bell*, 503 F.3d 566, 568 (6th Cir. 2007), *rev’d on other grounds*, 556 U.S. 180 (2009). This motion is not appropriate at this time because the Court has not yet reached the merits of the petition. Accordingly, Douglas’ motion is DENIED.

s/ J. DANIEL BREEN  
CHIEF UNITED STATES DISTRICT JUDGE