

among jurists of reason, that a court could resolve the issues in a different manner, or that the questions presented are worthy of encouragement to proceed further. *See Slack*, 529 U.S. at 483-84. Any doubt regarding whether to grant a certificate of appealability should be resolved in favor of the petitioner, and the severity of the penalty may be considered in making this determination. *See Miller v. Johnson*, 200 F.3d 274, 280-81 (2000).

In this case, petitioner has not shown that the issue of whether his petition is meritorious is subject to debate among jurists of reason. The questions presented are not worthy of encouragement to proceed further. The petitioner has therefore failed to make a sufficient showing to merit the issuance of a certificate of appealability. Accordingly, a certificate of appealability will not be issued.

So Ordered and Signed

Dec 7, 2017



Ron Clark, United States District Judge