

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

JEREMY MCDONALD,
Dallas Cnty. Jail BookIn # 19031025,

Petitioner,

V.

DALLAS COUNTY SHERIFF,

Respondent.

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No. 3:20-CV-1913-D

ORDER

The United States Magistrate Judge made findings, conclusions, and a recommendation in this case. No objections were filed. The undersigned district judge reviewed the proposed findings, conclusions, and recommendation for plain error. Finding none, the court adopts the findings, conclusions, and recommendation of the United States Magistrate Judge.

Assuming that a certificate of appealability is required, considering the record in this case and pursuant to Federal Rule of Appellate Procedure 22(b), Rule 11(a) of the Rules Governing §§ 2254 and 2255 proceedings, and 28 U.S.C. § 2253(c), the court denies a certificate of appealability. The court adopts and incorporates by reference the magistrate judge’s findings, conclusions, and recommendation filed in this case in support of its finding that petitioner has failed to show that reasonable jurists would find “it debatable whether the petition states a valid claim of the denial of a constitutional right” or “debatable whether [this court] was correct in its procedural

ruling.” *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

But, if petitioner elects to file a notice of appeal, he must either pay the appellate filing fee (\$505.00) or move for leave to proceed *in forma pauperis* on appeal.

SO ORDERED.

September 21, 2020.



SIDNEY A. FITZWATER
SENIOR JUDGE