

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

ALFREDO VASQUEZ,

Petitioner,

VS.

NATHANIEL QUARTERMAN,

Respondent.

§  
§  
§  
§  
§  
§  
§  
§

CIVIL ACTION NO. C-04-277

**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION  
TO DENY A CERTIFICATE OF APPEALABILITY**

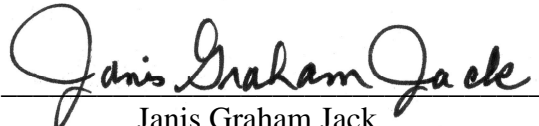
On June 27, 2008, United States Magistrate Judge Brian L. Owsley signed a Memorandum and Recommendation recommending that petitioner's motion for a certificate of appealability (D.E. 48) be denied and that petitioner be advised that he may request the issuance of a certificate of appealability from a federal circuit court of appeals judge. On July 18, 2008, petitioner filed Objections to the Magistrate's Recommendations.

Having reviewed the findings of fact and conclusions of law therein, as well as the pleadings on file and petitioner's objections, and having made a *de novo* disposition of those portions of the Magistrate Judge's recommended disposition to which objections were raised, *see Koetting v. Thompson*, 995 F.2d 37 (5th Cir. 1993), 28 U.S.C. § 636(b)(1)(C); Fed.R.Civ.P.72(b), the Court hereby adopts as its own the findings and conclusions of the Magistrate Judge.

Accordingly, it is ORDERED that petitioner's motion for a certificate of appealability (D.E. 48) is denied. Petitioner is advised that he may request the issuance of a certificate of appealability from a federal circuit court of appeals judge.

The clerk shall enter this order and provide a copy to all parties.

SIGNED and ORDERED this 21st day of July, 2008.

  
\_\_\_\_\_  
Janis Graham Jack  
United States District Judge