
IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

RICARDO ANTONIO PADILLA,

Petitioner,

v.

LARRY BENZON,

Respondent.

**MEMORANDUM DECISION &
ORDER DENYING CERTIFICATE
OF APPEALABILITY**

Case No. 2:19-CV-210 TS

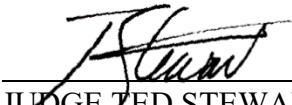
District Judge Ted Stewart

Having dismissed the petition here, the Court considers whether to issue a certificate of appealability (COA). *See* R.11, Rs. Governing § 2254 Cases in the United States District Courts (“The district court must issue or deny a [COA] when it enters a final order adverse to the applicant.”). When a habeas petition is denied on procedural grounds, as this one was, a petitioner is entitled to a COA only if he shows that “jurists of reason would find it debatable whether the district court was correct in its procedural ruling.” *Slack v. McDaniel*, 529 U.S. 473, 484 (2000) (citing 28 U.S.C.S. § 2253 (2021)). Petitioner has not made this showing.

IT IS THEREFORE ORDERED that a COA is **DENIED**.

DATED this 30th day of August, 2021.

BY THE COURT:



JUDGE TED STEWART
United States District Court