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7	UNITED STATES DISTRICT COURT	
8	WESTERN DISTRICT OF WASHINGTON AT SEATTLE	
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10	MARK ALAN CRABTREE,	CASE NO. C10-0490JLR
11	Petitioner,	ORDER RE: LATE-FILED
12	v.	OBJECTIONS
13	STATE OF WASHINGTON,	AND
14	Respondent.	ORDER DECLINING TO ISSUE CERTIFICATE OF
15		APPEALABILITY
16	I. OBJECTIONS	
17	The court has reviewed Petitioner Mark Alan Crabtree's late-filed objections (Dkt.	
18	#7) to the Report and Recommendations of the Honorable Mary Alice Theiler, United	
19	States Magistrate Judge. On June 7, 2010, the court entered an order adopting the Report	
20	and Recommendations and entering judgment. (See Dkt. ## 5, 6.) Later on the same	
21	day, Mr. Crabtree filed his objections. Having reviewed Mr. Crabtree's objections, the	
22	court finds that they do not warrant a change to the disposition of his habeas petition.	

II. CERTIFICATE OF APPEALABILITY

The court also declines to issue a certificate of appealability. A habeas petitioner can appeal the denial of a 28 U.S.C. § 2254 petition only after obtaining a "certificate of appealability." 28 U.S.C. § 2253(c); see generally United States v. Asrar, 116 F.3d 1268 (9th Cir. 1997). A court may issue a certificate of appealability "only if the applicant has made a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2). That is, a petitioner must show that "reasonable jurists could debate whether ... the petition should have been resolved in a different manner or that the issues presented were adequate to deserve encouragement to proceed further." Slack v. McDaniel, 529 U.S. 473, 484 (2000) (quotations omitted); see Hanson v. Mahoney, 433 F.3d 1107, 1112 (9th Cir. 2006).

Here, Mr. Crabtree has not made a substantial showing of the denial of a constitutional right. The court is not persuaded that reasonable jurists could debate whether the petition should have been resolved differently or that the issues presented are adequate to deserve encouragement to proceed further. The court therefore DECLINES to issue a certificate of appealability.

Dated this 16th day of June, 2010.

JAMES L. ROBART United States District Judge

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