

1
2
3
4
5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 DEMICKO BILLIE THOMAS,

9 Petitioner,

10 v.

11 MAGGIE MILLER-STOUT

12 Respondent.
13

)
) CASE NO. C11-2186 RSM
)

)
) MINUTE ORDER DENYING MOTION
)

14 The following MINUTE ORDER is made by direction of the Court, the Honorable
15 Ricardo S. Martinez, Chief United States District Judge:

16 On January 22, 2018, Petitioner filed a “Motion for Leave to File Amended Certificate of
17 Appealability.” Dkt. #118. Having reviewed the motion, the Court cannot discern the relief that
18 Petitioner is requesting. The Court has not yet reviewed the Magistrate Judge’s Report and
19 Recommendation or Petitioner’s Objections thereto, as they are not noted for consideration until
20 February 9, 2018. While the Magistrate Judge has recommended that no Certificate of
21 Appealability be issued, this Court has not yet made a decision on that recommendation. Thus,
22 no Certificate of Appealability has been issued or denied, and there is nothing to amend at this
23 point in time.
24

25
26 While it is unclear what relief Petitioner is seeking, he appears to suggest that he is
27 seeking additional time and or pages to address the Magistrate Judge’s recommendation
28 regarding the Certificate of Appealability. See Dkt. #118. To that end, this Court has

MINUTE ORDER
PAGE - 1

continuously denied any additional pages of briefing in this matter, and there is nothing in
Petitioner's current motion that would warrant a change in that decision. To the extent Petitioner
is seeking leave to address any denial of a Certificate of Appealability that this Court may issue
after review of the Report and Recommendation and Objections thereto, such a request is
premature. Accordingly, Petitioner's Motion for Leave to File Amended Certificate of
Appealability (Dkt. #118) is DENIED.

DATED this 2nd day of February, 2018.

WILLIAM McCOOL, Clerk

By: /s/ Paula McNabb
Deputy Clerk