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FILED  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF LA  
**DEC 28 2000**  
2000 DEC 28 AM 11:31

LORETTA G. WHYTE  
CLERK

MINUTE ENTRY  
SEAR, J.  
December 27, 2000

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

WILFRED GUY \* CIVIL ACTION  
VERSUS \* NO. 00-44  
BURL CAIN \* SECTION "G"

CERTIFICATE OF APPEALABILITY

A notice of appeal having been filed in the captioned habeas corpus action, in which the detention complained of arises out of process issued by a state court, the court, considering the record in the case and the requirement of FRAP 22(b), hereby orders that a certificate of appealability shall not be issued. For the reasons stated in the Report and Recommendation dated October 12, 2000, which I adopted in my Order dated November 21, 2000, plaintiff fails to make a substantial showing that he was denied a constitutional right.

*Morey L. Sear*  
\_\_\_\_\_  
MOREY L. SEAR  
U.S. DISTRICT JUDGE

DATE OF ENTRY  
DEC 28 2000

1 Fee \_\_\_\_\_  
Process \_\_\_\_\_  
X Dkt'd \_\_\_\_\_  
CtRmDep \_\_\_\_\_  
Doc.No. 24