

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF LA

2006 MAR 27 AM 7:33

LORETTA G. WHYTE
CLERK



UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

SHEDRICK BRUMFIELD # 395469

CIVIL ACTION

VERSUS

NO. 02-1843

BURL CAIN WARDEN

SECTION "S" (2)

CERTIFICATE OF APPEALABILITY

A notice of appeal having been filed in the captioned habeas corpus case, 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 be issued having found that petitioner has made a substantial showing of the denial of a constitutional right related to the following issue(s):

a certificate of appealability shall not be issued for the following reason(s):

Brumfield has not made a substantial showing of the denial of a constitutional right under 28 U.S.C. § 2253, as set forth in the court's Order and Reasons of January 10, 2006, adopting the December 6, 2005 Report and Recommendation of Magistrate Judge Joseph C. Wilkinson, Jr.

Date: March 24, 2006


UNITED STATES DISTRICT JUDGE

Fee _____
Process _____
X Dktd _____
v CtRmDep _____
Doc. No. _____