

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 18-10471-J

KINZIE DECARLOS THOMAS,
a.k.a. KD,

Petitioner-Appellant,

versus

UNITED STATES OF AMERICA,

Respondent-Appellee.

Appeal from the United States District Court
for the Northern District of Florida

ORDER:

Kinzie DeCarlos Thomas moves for a certificate of appealability (“COA”) and leave to proceed on appeal *in forma pauperis* (“IFP”), in order to appeal the denial of his 28 U.S.C. § 2255 motion to vacate sentence. To merit a COA, a movant must make “a substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2). The movant satisfies this requirement by demonstrating that “reasonable jurists would find the district court’s assessment of the constitutional claims debatable or wrong,” or that the issues “deserve encouragement to proceed further.” *Slack v. McDaniel*, 529 U.S. 473, 484 (2000) (quotation omitted). Because Thomas has failed to make the requisite showing, his motion for a COA is DENIED, and his motion for leave to proceed IFP on appeal is DENIED AS MOOT.

/s/ Stanley Marcus
UNITED STATES CIRCUIT JUDGE