

APPENDIX "1"

April 23, 2018

Second Circuit Court of Appeals Order
Denying a Certificate of Appealability

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 23rd day of April, two thousand eighteen.

Present:

Richard C. Wesley,
Denny Chin,
Circuit Judges,
Denise Cote,
*District Judge.**

United States of America,

Plaintiff-Appellee,

v.

17-2962

Carlos Cordoba,

Defendant-Appellant.

Appellant, pro se, moves for a certificate of appealability and for leave to proceed in forma pauperis. Upon due consideration, it is hereby ORDERED that the motion is DENIED and the appeal is DISMISSED because Appellant has not shown that “jurists of reason would find it debatable whether the district court was correct in its procedural ruling,” as to the untimeliness of the Appellant’s motion filed pursuant to 28 U.S.C. § 2255. *Slack v. McDaniel*, 529 U.S. 473, 478 (2000).

FOR THE COURT:

Catherine O’Hagan Wolfe, Clerk of Court




* Denise Cote, of the United States District Court for the Southern District of New York, sitting by designation.

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from this filing is
available in the
Clerk's Office.**