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**FILED**

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

DEC 21 2018

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U.S. COURT OF APPEALS

KELVIN DWAYNE FIELDS,

No. 18-55636

Petitioner-Appellant,

D.C. No. 2:17-cv-06072-GW-MRW  
Central District of California,  
Los Angeles

v.

W. L. MONTGOMERY, Acting Warden,

ORDER

Respondent-Appellee.

Before: TALLMAN and FRIEDLAND, Circuit Judges.

The request for a certificate of appealability (Docket Entry Nos. 2 and 3) is denied because appellant has not shown that “jurists of reason would find it debatable whether the petition states a valid claim of the denial of a constitutional right and that jurists of reason would find it debatable whether the district court was correct in its procedural ruling.” *Slack v. McDaniel*, 529 U.S. 473, 484 (2000); *see also* 28 U.S.C. § 2253(c)(2); *Gonzalez v. Thaler*, 565 U.S. 134, 140-41 (2012).

Any pending motions are denied as moot.

**DENIED.**