

FILED

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

NOV 16 2018

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

TIMOTHY STUART RING,

Petitioner-Appellant,

v.

CHARLES L. RYAN, Warden and
ATTORNEY GENERAL FOR THE STATE
OF ARIZONA,

Respondents-Appellees.

No. 18-15458

D.C. No. 2:16-cv-04070-SPL
District of Arizona,
Phoenix

ORDER

Before: LEAVY and SILVERMAN, Circuit Judges.

The request for a certificate of appealability 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); *Miller-El v. Cockrell*, 537 U.S. 322, 327 (2003).

Any pending motions are denied as moot.

DENIED.

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ORDER

Before: TALLMAN and FRIEDLAND, Circuit Judges.

The request for extension of time (Docket Entry No. 4) is granted.

Appellant's petition for rehearing en banc is construed as a motion for reconsideration en banc (Docket Entry No. 5). So construed, the motion is denied on behalf of the court. *See* 9th Cir. R. 27-10; 9th Cir. Gen. Ord. 6.11.

Any other pending motions are denied as moot.

No further filings will be entertained in this closed case.