

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

**FILED**

OCT 1 2019

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

STEPHEN JOSEPH MOCCO,  
  
Petitioner-Appellant,  
  
v.  
  
CHARLES L. RYAN; ATTORNEY  
GENERAL FOR THE STATE OF  
ARIZONA,  
  
Respondents-Appellees.

No. 19-15197

D.C. No. 4:16-cv-00474-RCC  
District of Arizona,  
Tucson

ORDER

Before: LEAVY and W. FLETCHER, Circuit Judges.

The request for a certificate of appealability (Docket Entry No. 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); *Miller-El v. Cockrell*, 537 U.S. 322, 327 (2003).

Any pending motions are denied as moot.

**DENIED.**

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ORDER

Before: SILVERMAN and OWENS, Circuit Judges.

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

No further filings will be entertained in this closed case.