

EXHIBIT A

UNITED STATES COURT OF APPEALS

FILED

FOR THE NINTH CIRCUIT

FEB 12 2020

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

THANKSNIEKY PHUONG,

No. 19-55394

Petitioner-Appellant,

D.C. No. 2:18-cv-03957-CJC-KES

v.

Central District of California,
Los Angeles

RICK HILL, Warden,

ORDER

Respondent-Appellee.

Before: LEAVY and MILLER, 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).

Any pending motions are denied as moot.

DENIED.

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

THANKSNIEKY PHUONG,

Petitioner,

v.

RICK HILL,

Respondent.

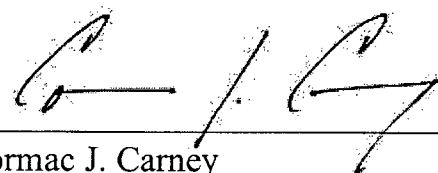
Case No. 2:18-cv-03957-CJC-KES

ORDER ACCEPTING REPORT AND
RECOMMENDATION OF UNITED
STATES MAGISTRATE JUDGE

Pursuant to 28 U.S.C. § 636, the Court has reviewed the First Amended Petition (Dkt. 17), the other records on file herein, and the Report and Recommendation of the United States Magistrate Judge (Dkt. 20). Further, the Court has engaged in a de novo review of those portions of the Report and Recommendation to which objections (Dkt. 23) have been made. The Court accepts the report, findings, and recommendations of the Magistrate Judge.

IT IS THEREFORE ORDERED that Judgment be entered dismissing the First Amended Petition as untimely.

DATED: February 25, 2019


Cormac J. Carney
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

THANKS NIEKY PHUONG,
Petitioner,
v.
RICK HILL, Warden,
Respondent.

Case No. 2:18-cv-03957-CJC (KES)

JUDGMENT

Pursuant to the Court's Order Accepting Report and Recommendation of the
United States Magistrate Judge,

IT IS ADJUDGED that the First Amended Petition is dismissed as untimely
with prejudice.

DATED: February 25, 2019


Cormac J. Carney
UNITED STATES DISTRICT JUDGE