

**FILED**

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

APR 26 2019

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

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

RICHARD ALAN KING,

Defendant-Appellant.

No. 18-16566

D.C. Nos. 2:16-cv-00086-SRB  
2:08-cr-00045-SRB-1

District of Arizona,  
Phoenix

ORDER

Before: O'SCANLAIN and GOULD, Circuit Judges.

Appellant's petition for en banc determination is construed as a motion for reconsideration en banc (Docket Entry No. 17) and 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.

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ORDER

Before: CANBY and WARDLAW, Circuit Judges.

The motion to file an oversized application for a certificate of appealability (Docket Entry No. 12) is granted.

The request for a certificate of appealability (Docket Entry Nos. 10, 13 & 15) is denied because appellant has not made a “substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2); *see also Miller-El v. Cockrell*, 537 U.S. 322, 327 (2003).

Any pending motions are denied as moot.

**DENIED.**