

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

JUL 19 2019

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

DAVID WINSTON,

Petitioner-Appellant,

v.

ROBERT FOX, Warden,

Respondent-Appellee.

No. 18-56352

D.C. No. 5:16-cv-00080-FMO-PLA
Central District of California,
Riverside

ORDER

Before: IKUTA and N.R. SMITH, Circuit Judges.

The request for a certificate of appealability 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.