

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 18-11339



A True Copy
Certified order issued Oct 16, 2019

Steph W. Cayer
Clerk, U.S. Court of Appeals, Fifth Circuit

GARRY DEAN STRONER,

Petitioner-Appellant

v.

LORIE DAVIS, DIRECTOR, TEXAS DEPARTMENT OF CRIMINAL
JUSTICE, CORRECTIONAL INSTITUTIONS DIVISION,

Respondent-Appellee

Appeal from the United States District Court
for the Northern District of Texas

O R D E R:

Garry Dean Stroner, Texas prisoner # 01777671, seeks a certificate of appealability (COA) to appeal the denial of a 28 U.S.C. § 2254 application challenging his conviction for aggravated kidnapping. Stroner asserts that his trial counsel was ineffective for failing to challenge a venire member who was unable to afford the presumption of innocence. Because he fails to show that reasonable jurists would debate the district court's deference to the state court decision denying the claim, a COA is DENIED. *See Miller-El v. Cockrell*, 537 U.S. 322, 327 (2003); *Miniel v. Cockrell*, 339 F.3d 331, 336 (5th Cir. 2003).

A handwritten signature in black ink, appearing to read "SKD", followed by a horizontal line.

STUART KYLE DUNCAN
UNITED STATES CIRCUIT JUDGE