

# APPENDIX

## A

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

**FILED**

OCT 25 2019

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

JOSE PASSALACQUA,

Petitioner-Appellant,

v.

MIKE MCDONALD, Warden,

Respondent-Appellee.

No. 19-55327

D.C. No. 2:12-cv-02430-AG-FFM  
Central District of California,  
Los Angeles

ORDER

Before: O'SCANNLAIN and RAWLINSON, 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); *Gonzalez v. Crosby*, 545 U.S.

524, 530-31 (2005); *Ortiz v. Stewart*, 195 F.3d 520, 520-21 (9th Cir. 1999).

Any pending motions are denied as moot.

**DENIED.**

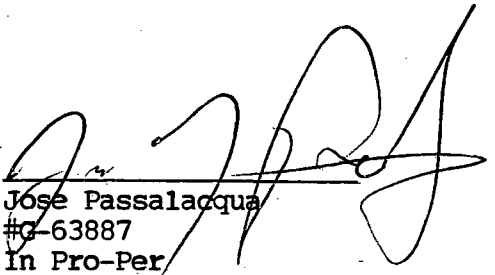
TO THE HONORABLE JUSTICE E. KAGAN:

Petitioner, Jose Passalacqua, is respectfully requesting a 60 days extension of time to, and including Thursday, March 26, 2020 within which to file a petition for a writ of certiorari in the above-entitled case.

In support of his request, petitioner submits the attached declaration.

Dated: January 13, 2020

Respectfully submitted,



Jose Passalacqua  
#G-63887  
In Pro-Per