

FILED

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FEB 10 2022

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

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

RICHARD ALAN KING, AKA William
Wallace Keegan,

Defendant-Appellant.

No. 20-17349

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

District of Arizona,
Phoenix

ORDER

Before: S.R. THOMAS and R. NELSON, Circuit Judges.

Appellant's motion for relief from judgment (Docket Entry No. 8) is construed as a motion for reconsideration, and is denied. *See* 9th Cir. R. 27-10.

No further filings will be entertained in this closed case.

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ORDER

Before: CANBY and VANDYKE, 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 [motion] 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); *United States v. Winkles*, 795 F.3d 1134, 1143 (9th Cir. 2015).

In order for a district court to consider a second or successive 28 U.S.C. § 2255 motion, this court must first authorize the district court to consider that motion. *See* 28 U.S.C. §§ 2244(b)(3), 2255(h). The Clerk will serve this order and

a copy of the standard form application for leave to file a second or successive motion on appellant.

Any pending motions are denied as moot.

DENIED.