

FILED

MAY 25 2023

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

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

EARL MONROE BELCHER,

No. 22-55258

Petitioner-Appellant,

D.C. No. 8:20-cv-01421-SVW-LAL  
Central District of California,  
Santa Ana

v.

JASON PICKETT, Warden,

ORDER

Respondent-Appellee.

Before: SILVERMAN and FRIEDLAND, Circuit Judges.

The request for a certificate of appealability (Docket Entry No. 2) 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.**

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

Case No. SACV 20-1421-SVW (LAL)

11 Petitioner, **ORDER DENYING CERTIFICATE OF APPEALABILITY**

13 JASON PICKETT, Warden.

### Respondent

17 For the reasons stated in the Report and Recommendation, the Court finds that Petitioner  
18 has not made a substantial showing of the denial of a constitutional right.<sup>1</sup> Thus, the Court  
19 declines to issue a certificate of appealability.

22 DATED: February 24, 2022

  
HONORABLE STEPHEN V. WILSON  
UNITED STATES DISTRICT JUDGE

<sup>28</sup> 1 See 28 U.S.C. § 2253; Fed. R. App. P. 22(b); *Miller-El v. Cockrell*, 537 U.S. 322, 336, 123 S. Ct. 1029, 154 L. Ed. 2d 931 (2003).

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

10 EARL MONROE BELCHER, Case No. SACV 20-1421-SVW (LAL)  
11 Petitioner,  
12 v.  
13 JASON PICKETT, Warden,  
14 Respondent.  
**JUDGMENT**

17 Pursuant to the Order Accepting Report and Recommendation of United States  
18 Magistrate Judge,

19 IT IS ADJUDGED that the Petition is denied and this action is dismissed with prejudice.

31 DATED: February 24, 2022

HONORABLE STEPHEN V. WILSON  
UNITED STATES DISTRICT JUDGE