

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

OCT 25 2023

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

PEDRO RODRIGUEZ,

Petitioner-Appellant,

v.

KATHLEEN ALLISON, Secretary,

Respondent-Appellee.

No. 22-55989

D.C. No. 3:21-cv-01395-JLS-AHG
Southern District of California,
San Diego

ORDER

Before: COLLINS and LEE, Circuit Judges.

Appellant’s motion to exceed the page limitation (Docket Entry No. 10) is granted. The request for a certificate of appealability (Docket Entry No. 9) 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); *Miller-El v. Cockrell*, 537 U.S. 322, 327 (2003).

Any pending motions are denied as moot.

DENIED.