

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA

VERSUS

GREGORY M. WARD

CRIMINAL ACTION

NO: 13-138
(Ref: C.A. 16-9527)

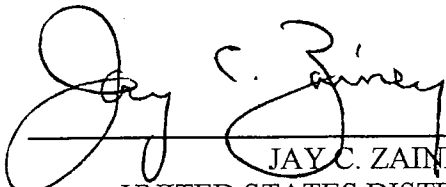
SECTION: "A"

JUDGMENT

For the written reasons of the Court issued and filed herein,

IT IS ORDERED, ADJUDGED AND DECREED that there be judgment in favor of the United States of America and against defendant, Gregory M. Ward, denying defendant's Motion to Vacate, Set Aside, or Correct Sentence Pursuant to Title 28 U.S.C. § 2255.

New Orleans, Louisiana this 6th of February 2017.



JAY C. ZAINÉY
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

UNITED STATES

CRIMINAL ACTION

VERSUS

NO. 13-138

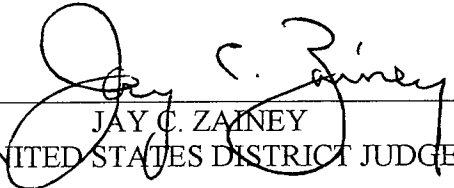
GREGORY WARD

SECTION: A(3)

CERTIFICATE OF APPEALABILITY

The Court having denied petitioner's Motion to Vacate, Set Aside, or Correct a Sentence under 28 U.S.C. § 2255, and considering the record in the case, hereby orders that a certificate of appealability shall not be issued because Petitioner has not made a substantial showing of the denial of a constitutional right.

New Orleans, Louisiana, this 6th day of February, 2017.



JAY C. ZAINERY
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 17-30243

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

GREGORY M. WARD, also known as Gregory Ward,

Defendant-Appellant

Appeal from the United States District Court
for the Eastern District of Louisiana

ORDER:

Gregory M. Ward, federal prisoner # 27350-034, seeks a certificate of appealability (COA) to challenge the denial of his 28 U.S.C. § 2255 motion. Ward pleaded guilty to possessing with intent to distribute 100 grams or more of heroin, for which he was sentenced to 236 months in prison. In his COA motion, Ward argues that the district court erred in finding, without holding an evidentiary hearing, that his trial counsel was not ineffective for (a) erroneously advising him that he could appeal the denial of his suppression motion, (b) failing to request or obtain a conditional plea, and (c) failing to argue that the search warrant application and search warrant were invalid.

This court may grant Ward a COA only if he has “made a substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2); *Miller-El v. Cockrell*, 537 U.S. 322, 336 (2003). “A petitioner satisfies this standard

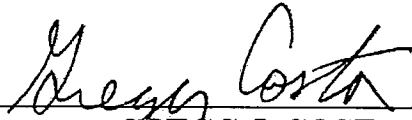
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No. 17-30243

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by demonstrating that jurists of reason could disagree with the district court's resolution of his constitutional claims or that jurists could conclude the issues presented are adequate to deserve encouragement to proceed further." *Miller-El*, 537 U.S. at 327.

Ward has not made the requisite showing. Accordingly, a COA is DENIED.



GREGG J. COSTA
UNITED STATES CIRCUIT JUDGE

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 17-30243

UNITED STATES OF AMERICA,

Plaintiff - Appellee

v.

GREGORY M. WARD, also known as Gregory Ward,

Defendant - Appellant

Appeal from the United States District Court
for the Eastern District of Louisiana

Before DENNIS, GRAVES, and COSTA, Circuit Judges.

PER CURIAM:

A member of this panel previously denied appellant's motion for certificate of appealability. The panel has considered appellant's motion for reconsideration. IT IS ORDERED that the motion is DENIED.

**Additional material
from this filing is
available in the
Clerk's Office.**