

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

DESHAWN FLOYD,)	
)	
Petitioner,)	
)	
v.)	Civil Action No. 14-0667 (RC)
)	
)	
U.S. PAROLE COMMISSION <i>et al.</i> ,)	
)	
)	
Respondents.)	

MEMORANDUM

This matter is before the Court on Order from the United States Court of Appeals for the District of Columbia Circuit, holding the appeal in abeyance pending this Court’s resolution of whether a certificate of appealability (“COA”) is warranted. No. 15-5270 (D.C. Cir. Oct. 5, 2015). A COA may issue only if the petitioner “has made a substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2). A “substantial showing” includes “showing that reasonable jurists could debate whether . . . the petition should have been resolved in a different manner or that the issues presented were ‘adequate to deserve encouragement to proceed further.’” *Slack v. McDaniel*, 529 U.S. 473, 483-84 (2000) (quoting *Barefoot v. Estelle*, 463 U.S. 880, 893 & n.4 (1983)). If the certificate is granted, the court must specify which issues raise such a substantial showing. *United States v. Weaver*, 195 F.3d 52, 53 (D.C. Cir. 1999).

For the reasons stated in the memorandum opinion supporting the order from which petitioner appeals, the Court finds that petitioner cannot make the requisite showing to warrant a COA. The Clerk is directed to transmit this memorandum promptly to the appellate court.

Date: October 14, 2015

_____/s/_____
RUDOLPH CONTRERAS
United States District Judge