

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA,
Plaintiff,

vs.

Case No. 13-10140-02-JTM

MARISELA RAMIREZ,
Defendants.

MEMORANDUM AND ORDER

On August 12, 2016, the court denied defendant Marisela Ramirez's Motion to Vacate her sentence under 28 U.S.C. § 2255. A certificate of appealability 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). To satisfy this standard, the movant must demonstrate that "reasonable jurists would find the district court's assessment of the constitutional claims debatable or wrong." *Saiz v. Ortiz*, 392 F.3d 1166, 1171 n.3 (10th Cir. 2004) (quoting *Tennard v. Dretke*, 542 U.S. 274, 282 (2004)). For the reasons indicated in the Order of August 12, the court finds that defendant has not satisfied this standard and therefore denies a certificate of appealability as to its ruling on defendant's motion to vacate.

s/J. Thomas Marten
J. THOMAS MARTEN, JUDGE