

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

MARTIN VASQUEZ ARROYO,

Petitioner,

v.

CASE NO. 15-3234-SAC-DJW

REX PRYOR,

Respondent.

MEMORANDUM AND ORDER

This matter is before the Court on petitioner's Notice of Appeal from the Memorandum and Order entered on September 5, 2017, denying relief in this consolidated habeas corpus action. The Court has considered the record and has examined the materials petitioner submitted with the Notice of Appeal (Doc. #20) and the supplement to that pleading (Doc. #23) but finds no basis to issue a Certificate of Appealability (COA) in this matter. *See Slack v. McDaniel*, 529 U.S. 473, 484 (2000) (for a COA to issue under 28 U.S.C. § 2253(c)(1)(A), petitioner must show that reasonable jurists would find the result debatable or that the issues should proceed further). Petitioner continues to advance theories of who committed the crimes of which he was convicted, but he has not presented any properly exhausted claim or any viable claim of actual innocence.

IT IS, THEREFORE, BY THE COURT ORDERED petitioner is denied a Certificate of Appealability.

IT IS FURTHER ORDERED petitioner is granted leave to proceed on appeal in forma pauperis.

IT IS SO ORDERED.

DATED: This 21st day of September, 2017, at Topeka, Kansas.

S/ Sam A. Crow

SAM A. CROW

U.S. Senior District Judge