

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

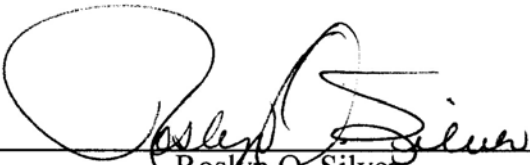
DAVID PAUL STOCKS,) CASE NO. CV 03-1510-PHX-
) ROS
Petitioner/Appellant,)
) ORDER
vs.)
) re: CERTIFICATE OF APPEALABILITY
DORA B. SCHRIRO, et al.,)
) and IN FORMA PAUPERIS STATUS
Respondents/Appellees,)

I, Roslyn O. Silver Judge of the United States District Court for the District of Arizona, certify that I have examined the Petition of David Paul Stocks, for issuance of a Certificate of Appealability, together with the application for a Writ of Habeas Corpus filed in this Court, and FIND:

/_/ Certificate of Appealability Granted. Probable cause exists for the appeal taken in the above-named cause through the United States Court of Appeals for the Ninth Circuit from the Order of this Court denying petitioner's application for Writ of Habeas Corpus, and GRANTS that petitioner be allowed to proceed in forma pauperis for this appeal. The appellant has made a substantial showing of the denial of a constitutional right with respect to the following issues: _____

/X/ Certificate of Appealability Denied. Probable cause does not exist for the appeal. The applicant has not made a substantial showing of the denial of a constitutional right. In Forma Pauperis status denied as to this appeal.

DATED this 17th day of October, 2006.



Roslyn O. Silver
United States District Judge