

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
Criminal No. 4-89-82(5) (DSD)

United States of America,  
Plaintiff,

v.

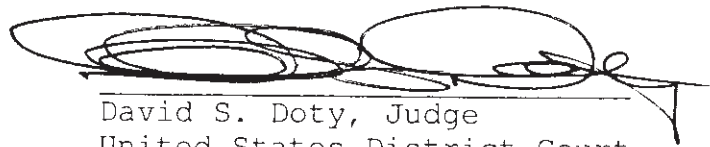
**ORDER**

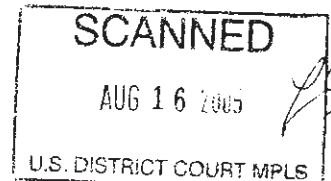
John Gregory Lambros,  
Defendant.

This matter is before the court upon defendant's application for a certificate of appealability.

The court found no merit in defendant's Rule 60(b) and Rule 59(e) motions filed in September and November 2004, respectively. Therefore, the court determines that defendant has not made a "substantial showing of the denial of a constitutional right" as required by 28 U.S.C. § 2253(c)(2). Accordingly, **IT IS HEREBY ORDERED** that defendant's application for a certificate of appealability [Doc. No. 293] is denied.

Dated: August 16, 2005

  
David S. Doty, Judge  
United States District Court



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