

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
MARTINSBURG**

GEORGE W. BRADSHAW, II,

Plaintiff,

v.

**CIVIL ACTION NO. 3:10-CV-34
CRIMINAL ACTION NO. 3:05-CR-73
(BAILEY)**

UNITED STATES OF AMERICA,

Defendant.

**ORDER SUPPLEMENTING ORDER ADOPTING OPINION/REPORT AND
RECOMMENDATION**

On this day, the above-styled matter came before this Court upon the November 5, 2010, Order [Doc. 14] of the United States Court of Appeals for the Fourth Circuit, which remanded this case “for the limited purpose of permitting the district court to supplement the record with an order granting or denying a certificate of appealability.” ([Doc. 14] at 2). Accordingly, for the same reasons previously stated in the Order Adopting Opinion/Report and Recommendation [Doc. 7], this Court hereby **DENIES** a certificate of appealability, finding that the petitioner has failed to make “a substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2).

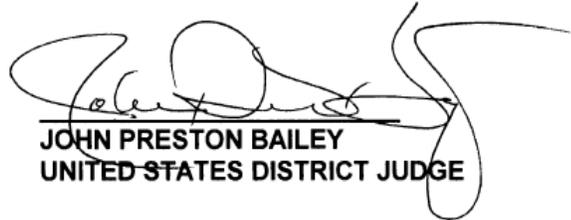
In light of this Court’s denial of a certificate of appealability, and upon a review of the petitioner’s Application to Proceed without Prepayment of Fees and Affidavit [Doc. 13], the Court **DENIES** the same [Doc. 13].

It is so **ORDERED**.

The Clerk is directed to transmit copies of this Order to all counsel of record and to

mail a copy to the *pro se* plaintiff.

DATED: November 8, 2010.



JOHN PRESTON BAILEY
UNITED STATES DISTRICT JUDGE