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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>KENDAL M. CLARK,</p> <p>Petitioner - Appellant,</p> <p>v.</p> <p>DANIEL PARAMO, Warden,</p> <p>Respondent - Appellee.</p>
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No. 13-55479

D.C. No. 2:12-cv-01570-JVS

MEMORANDUM\*

Appeal from the United States District Court  
for the Central District of California  
James V. Selna, District Judge, Presiding

Submitted July 22, 2014\*\*

Before: GOODWIN, CANBY, and CALLAHAN, Circuit Judges.

California state prisoner Kendal M. Clark appeals pro se from the district court’s judgment denying his 28 U.S.C. § 2254 habeas corpus petition. We have jurisdiction under 28 U.S.C. § 2253. We review a district court’s denial of a habeas corpus petition de novo, *see Stanley v. Cullen*, 633 F.3d 852, 859 (9th Cir.

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\* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

\*\* The panel unanimously concludes this case is suitable for decision without oral argument. *See Fed. R. App. P. 34(a)(2)*.

2011), and we affirm.

Clark contends that his due process rights were violated by the prosecutor's use of a PowerPoint slide presentation that misrepresented the applicable burden of proof. The state court's rejection of this claim was neither contrary to, nor based upon an unreasonable application of, Supreme Court precedent. *See* 28 U.S.C. § 2254(d)(1); *Williams v. Taylor*, 529 U.S. 362, 409 (2000) (to support federal habeas relief, state court's application of clearly established federal law must have been "objectively unreasonable"); *Darden v. Wainwright*, 477 U.S. 168, 181 (1986) (in prosecutorial misconduct context, the relevant question is whether "the prosecutor[']s comments so infected the trial with unfairness as to make the resulting conviction a denial of due process" (internal quotations omitted)).

**AFFIRMED.**