

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

|                 |   |                           |
|-----------------|---|---------------------------|
| CHARLES ALPINE, | ) |                           |
|                 | ) |                           |
| Petitioner,     | ) |                           |
|                 | ) |                           |
| v.              | ) |                           |
|                 | ) | Docket no. 1:19-cv-174-NT |
| JIMMY SMITH,    | ) |                           |
|                 | ) |                           |
| Respondent.     | ) |                           |
|                 | ) |                           |
|                 | ) |                           |

**ORDER AFFIRMING THE RECOMMENDED DECISION  
OF THE MAGISTRATE JUDGE**

On April 25, 2019, the United States Magistrate Judge filed with the court, with a copy to the Petitioner, his Recommended Decision on the Petitioner's motion for habeas relief pursuant to 28 U.S.C. § 2241 (ECF No. 2). The time within which to file objections has expired, and no objection have been filed. The Magistrate Judge notified the Petitioner that failure to object would waive their right to de novo review and appeal.

It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **ADOPTED**. The Petitioner's motion for habeas relief is **DENIED** (ECF no. 1). To the extent the Petitioner seeks to assert a claim under 42 U.S.C. § 1983, that claim is likewise **DISMISSED**. No certificate of appealability shall issue because there is no substantial showing of the denial of a constitutional right within the meaning of 28 U.S.C. § 2253(c)(2).

/s/ Nancy Torresen  
\_\_\_\_\_  
United States District Judge

Dated this 21st day of May, 2019.