

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

<b>ROLAND PELLETIER,</b>	)	
	)	
<b>Petitioner,</b>	)	
	)	
<b>v.</b>	)	<b>1:22-cv-298-JDL</b>
	)	
<b>STATE OF FLORIDA,</b>	)	
	)	
<b>Respondent.</b>	)	

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

Roland Pelletier filed a petition (ECF No. 1) for a Writ of Habeas Corpus under 28 U.S.C.A. § 2241 (West 2022). United States Magistrate Judge John C. Nivison filed his Recommended Decision on Pelletier’s petition on September 29, 2022 (ECF No. 2), pursuant to 28 U.S.C.A. § 636(b)(1)(B) (West 2022) and Rule 8(b) of the Rules Governing Section 2254 Cases.<sup>1</sup> Neither party filed an objection to the Recommended Decision. The Magistrate Judge provided notice that a party’s failure to object would waive the right to *de novo* review and appeal.

I have reviewed and considered the Magistrate Judge’s Recommended Decision, together with the entire record and have made a *de novo* determination of all matters adjudicated by the Magistrate Judge’s Recommended Decision. I concur with the recommendations of the Magistrate Judge for the reasons set forth in his Recommended Decision, and I determine that no further proceeding is necessary.

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<sup>1</sup> Although Pelletier’s petition was brought under 28 U.S.C.A. § 2241, the Rules Governing Section 2254 cases apply to his petition. *See* Rule 1(b); *Bramson v. Winn*, 136 F. App’x 380, 382 (1st Cir. 2005).

It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge (ECF No. 2) is hereby **ACCEPTED**, and the Petitioner's 28 U.S.C.A. § 2241 petition (ECF No. 1) is **DISMISSED**. It is further **ORDERED** that no certificate of appealability should issue in the event the Petitioner files a notice of appeal because there is no substantial showing of the denial of a constitutional right within the meaning of 28 U.S.C.A. § 2253(c)(2) (West 2022).

**SO ORDERED.**

**Dated this 10th day of November, 2022.**

/s/ JON D. LEVY  
**CHIEF U.S. DISTRICT JUDGE**