

UNITED STATES DISTRICT COURT  
District of Maine

WILLIAM JOHN THUN,	)	
	)	
<b>Petitioner</b>	)	
	)	
v.	)	<b>Civil No. 09-85-P-S</b>
	)	
STATE OF MAINE,	)	
	)	
<b>Respondent</b>	)	
	)	

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

The United States Magistrate Judge filed with the Court on July 28, 2009, her Recommended Decision (Docket No. 9). Petitioner filed his Objection to the Recommended Decision (Docket No. 18) on December 14, 2009.

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

1. It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **AFFIRMED**.
2. It is hereby **ORDERED** that Petitioner's 28 U.S.C. § 2254 Petition (Docket No. 1) is **DENIED**.

3. Further, a certificate of appealability shall not issue in the event 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. § 2253(c)(2).

/s/George Z. Singal

U.S. District Judge

Dated: December 15, 2009