

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

TY B. EASTMAN,)	
)	
Petitioner,)	
)	
v.)	Docket No. 2:19-cv-00416-NT
)	
)	
STATE OF MAINE,)	
)	
Respondent.)	

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

Petitioner Ty B. Eastman seeks relief pursuant to 28 U.S.C. § 2254 (ECF No. 1). The United States Magistrate Judge filed with the Court on November 7, 2019, his Recommended Decision on Petitioner’s request for relief pursuant to 28 U.S.C. § 2254 (ECF No. 7). The time within which to file objections has expired, and no objections 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 **AFFIRMED** and the State’s Motion to Dismiss is **GRANTED** without prejudice. 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. § 2253(c)(2).

SO ORDERED.

/s/ Nancy Torresen
United States District Judge

Dated this 5th day of December, 2019.