

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

MAXIMO DOE,

Petitioner,

-v-

9:13-CV-0921
(DNH/DEP)

ADA PEREZ,

Respondent.

APPEARANCES:

OF COUNSEL:

MAXIMO DOE
Petitioner, Pro Se
10-A-3480
Downstate Correctional Facility
Box F
Fishkill, NY 12524

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Attorney for Respondent
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New York, NY 10271

HANNAH S. LONG, ESQ.
PAUL B. LYONS, ESQ.
Ass't Attorneys General

DAVID N. HURD
United States District Judge

DECISION and ORDER

Pro se petitioner Maximo Doe brought this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On October 30, 2015, the Honorable David E. Peebles, United States Magistrate Judge, advised, by Report-Recommendation, that the petition be denied. Neither petitioner nor respondent timely filed objections to the Report-Recommendation.

Based upon a de novo review of the Report-Recommendation, the Report-Recommendation is adopted in whole. See 28 U.S.C. § 636(b)(1); Rule 10, Rules Governing Section 2254 Cases.

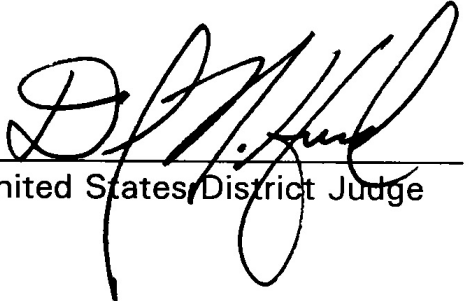
Therefore, it is

ORDERED that

1. The petition for a writ of habeas corpus is **DENIED** and **DISMISSED**; and
2. The Clerk is directed to close the file.

Because petitioner has not made a substantial showing of the denial of any constitutional right, a certificate of appealability will not issue. See 28 U.S.C. § 2253.

IT IS SO ORDERED.



United States District Judge

Dated: November 23, 2015
Utica, New York.