

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF MAINE**

<b>ANDREW FLOOD,</b>	)	
	)	
<b>PETITIONER</b>	)	
	)	
<b>v.</b>	)	<b>CIVIL No. 1:11-cv-32-DBH</b>
	)	
<b>PATRICIA BARNHART, WARDEN,</b>	)	
<b>MAINE STATE PRISON,</b>	)	
	)	
<b>RESPONDENT</b>	)	

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

On May 31, 2011, the United States Magistrate Judge filed with the court, with copies to the parties, his Recommended Decision on 28 U.S.C. § 2254 Petition and Memorandum Decision on Motion to Reconsider Regarding Bail and Appointment of Counsel. The petitioner filed objections to both on June 30, 2011.

I have reviewed and considered the Recommended Decision, together with the entire record; I have made a *de novo* determination of all matters adjudicated by the Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in the Recommended Decision, and determine that no further proceeding is necessary. The petition for § 2254 relief is **DENIED**.

I have reviewed and considered the Memorandum Decision. I concur with the Magistrate Judge's Memorandum Decision because it is neither clearly

erroneous nor contrary to law. The motion to appoint counsel and reconsider the denial of bail is **DENIED**.

The petitioner's motion for hearing and production of documents is **DENIED**.

**SO ORDERED.**

**DATED THIS 5<sup>TH</sup> DAY OF JULY, 2011**

/s/D. BROCK HORNBY  
**D. BROCK HORNBY**  
**UNITED STATES DISTRICT JUDGE**