

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

MICHAEL HUTCHINSON,)
)
 Plaintiff,)
)
 v.) 1:12-cv-00321-JAW
)
JOSEPH PONTE,)
)
 Defendant.)

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

No objection having been filed to the Magistrate Judge’s Recommended Decision filed January 11, 2013, the Recommended Decision is accepted.

Accordingly, it is hereby ORDERED that the Defendant’s 28 U.S.C. § 2254 Petition (ECF No. 1) be and hereby is DENIED. 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/ John A. Woodcock, Jr.
JOHN A. WOODCOCK, JR.
CHIEF UNITED STATES DISTRICT JUDGE

Dated this 20th day of February, 2013