

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

PAUL DAVID TRACY,)	
)	
Petitioner,)	
)	
v.)	Docket no. 1:14-cv-00336-NT
)	
THE HON. MICHAELA MURPHY,)	
et al.,)	
)	
Respondents)	

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

On September 19, 2014, the United States Magistrate Judge filed with the court, with copies to counsel, his Recommended Decision (ECF No. 4). The time within which to file objections has expired, and no objections have been filed. The Magistrate Judge notified the parties 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.

It is further ORDERED that:

1. The petition for habeas relief under 28 U.S.C. section 2254 be DISMISSED;
2. A certificate of appealability pursuant to Rule 11 of the Rules Governing Section 2254 Cases be DENIED because there is no substantial showing of the denial of a constitutional right within the meaning of 28 U.S.C. § 2253(c)(2); and
3. The Petitioner's motion for instant hearing (ECF No. 2) be DENIED.

SO ORDERED.

/s/ Nancy Torresen

United States District Judge

Dated this 8th day of October, 2014.