

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

| | | |
|-----------------------------|---|-------------------|
| JOHN FRANK MANDARELLI, JR., |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | 1:14-cv-00418-JAW |
| |) | |
| WARDEN, MAINE STATE PRISON, |) | |
| |) | |
| Respondent. |) | |

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

The United States Magistrate Judge filed with the Court on October 29, 2014 his Recommended Decision (ECF No. 4). The Plaintiff filed his objections to the Recommended Decision on November 17, 2014 (ECF No. 5). I have reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; I have made a de novo determination of all matters adjudicated by the Magistrate Judge's Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in his Recommended Decision, and determine that no further proceeding is necessary.

1. It is therefore ORDERED that the Recommended Decision of the Magistrate Judge is hereby AFFIRMED.
2. It is further ORDERED that the Petitioner's 28 U.S.C. § 2254 Petition (ECF No. 1) be and hereby is DISMISSED.

3. It is further ORDERED that the Petitioner's Motion to Extend Time (ECF No. 3) be and hereby is DENIED as moot.
4. It is further ORDERED that no certificate of appealability should issue in the event the Plaintiff 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 18th day of November, 2014