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UNITED STATES DISTRICT COURT District of Maine

ROBERT LEE NELSON,)
Petitioner)
v.) No. 1:16-cv-00261-GZS
RANDALL LIBERTY,)
Respondent)
)

ORDER AFFIRMING THE RECOMMENDED DECISION OF THE MAGISTRATE JUDGE

The United States Magistrate Judge filed with the Court on December 9, 2016, his Recommended Decision (ECF No. 13). Petitioner filed his Objection to the Recommended Decision (ECF No. 16) on January 4, 2017.

I have reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; I have made a <u>de novo</u> 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 hereby **ORDERED** that an evidentiary hearing is not warranted under Rule 8 of the Rules Governing Section 2254 cases.
- 3. It is hereby **ORDERED** that Petitioner's Petition for habeas relief under 28 U.S.C. Section 2254 (ECF No. 1) is **DENIED**.

4.	It is hereby ORDERED that a certificate of appealability pursuant to Rule 11 of
	the Rules Governing Section 2254 cases is 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).

/s/George Z. Singal U.S. District Judge

Dated this 9th day of January, 2017.