

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

ANDREW J. FREEMAN,)	
)	
Petitioner,)	
)	
v.)	1:16-cv-00523-JAW
)	
STATE OF MAINE,)	
)	
Respondent.)	

ORDER OVERRULING OBJECTION

On November 14, 2016, Andrew J. Freeman filed a motion to appoint counsel in this case. *Mot. to Appoint Counsel* (ECF No. 5). On November 16, 2016, the Magistrate Judge denied his motion. *Order on Pet'r's Mot. for Appointed [] Counsel* (ECF No. 6). On November 30, 2016, Mr. Freeman moved for reconsideration of the denial and objected to the order. *Obj. to Order on Mot. to Appoint Counsel* (ECF No. 7); *Mot. for Recons. re Order on Mot. to Appoint Counsel* (ECF No. 8). This Court awaited the Magistrate Judge's ruling on the motion for reconsideration before acting on the objection. On December 20, 2016, the Magistrate Judge denied Mr. Freeman's motion for reconsideration. *Order on Mot. for Recons.* (ECF No. 9). Any objections to the order on the motion for reconsideration were due by January 9, 2017. None has been docketed.

As the Magistrate Judge's orders address a non-dispositive matter, the standard by which this Court must evaluate the Magistrate Judge's ruling is whether it is "clearly erroneous or is contrary to law." FED. R. CIV. P. 72(a); 28 U.S.C. § 636(b)(1)(A). The Court reviewed the Magistrate Judge's original order dated

November 16, 2016 and, even though the Magistrate Judge's order on the motion for reconsideration dated December 20, 2016 is not technically before the Court, the Court reviewed that order as well. Applying the legal standards, the Court has concluded that neither order is clearly erroneous or contrary to law.

Accordingly, the Court **OVERRULES** Andrew J. Freeman's Objection to Order on Motion to Appoint Counsel (ECF No. 7) and **AFFIRMS** the Magistrate Judge's Order on Petitioner's Motion for Appointed [] Counsel (ECF No. 6).

SO ORDERED.

/s/ John A. Woodcock, Jr.
JOHN A. WOODCOCK, JR.
UNITED STATES DISTRICT JUDGE

Dated this 11th day of January, 2017