

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

JOSEPH M. BATTLE, JR.,)	
)	
Petitioner,)	
v.)	No. 1:17-cv-00185-GZS
)	
SUPERINTENDENT, CHARLESTON CORRECTIONAL FACILITY,)	
)	
Respondent)	

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

No objections having been filed to the Magistrate Judge's Recommended Decision (ECF No. 13) filed August 30, 2017, the Recommended Decision is **AFFIRMED**.

Accordingly, it is **ORDERED**:

- (1) That an evidentiary hearing is not warranted under Rule 8 of the Rules Governing §2254 cases;
- (2) It is **ORDERED** that Petitioner's Motion for Habeas Relief under 28 U.S.C. §2254 (ECF No. 3) is **DISMISSED**;
- (3) It is **ORDERED** that a certificate of appealability shall be **DENIED** pursuant to Rule 11 of the Rules Governing §2254 cases 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
United States District Judge

Dated this 27th day of September, 2017.