

**UNITED STATES DISTRICT COURT
District of Maine**

BOUNKET THONGSOPHAPORN,)	
)	
Petitioner)	
)	
v.)	**Civil No. 08-287-P-S
)	Criminal No. 05-26-P-S
)	
UNITED STATES OF AMERICA,)	
)	
Defendant)	

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

The United States Magistrate Judge filed with the Court on January 15, 2009, her Recommended Decision (Docket No. 11). Thongsophaporn filed his Objection to the Recommended Decision (Docket No. 15) on February 20, 2009. That same day, he also filed a belated response to the Government’s Motion for Summary Dismissal (Docket No. 17). Both of Petitioner’s February 20, 2009 filings included requests for oral argument (Docket Nos. 16 & 18).

I have reviewed and considered the Magistrate Judge's Recommended Decision, together with Petitioner’s objections and 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 her Recommended Decision, and determine that no further proceeding is necessary.

1. Petitioner’s requests for oral argument (Docket Nos. 16 & 18) are hereby **DENIED** in accordance with District of Maine Local Rule 7(f).
2. It is hereby **ORDERED** that the Recommended Decision of the Magistrate Judge (Docket No. 11) is hereby **AFFIRMED**.

2. It is **ORDERED** that the Government's request for summary dismissal (Docket No. 9) is **GRANTED**.
3. It is **ORDERED** that Plaintiff's 28 U.S.C. § 2255 Motion (Docket No. 1) is **DENIED**.
4. A certificate of appealability shall not issue as 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/George Z. Singal
United States District Judge

Dated: March 11, 2008