

**UNITED STATES DISTRICT COURT
District of Maine**

<p>WILLARD JOHN ALLEN,</p> <p style="padding-left: 40px;">Plaintiff</p> <p>v.</p> <p>UNITED STATES OF AMERICA,</p> <p style="padding-left: 40px;">Defendant</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>Civil No. 08-329-P-S</p> <p>Crim. No. 04-08-P-S</p>
--	--	--

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

The United States Magistrate Judge filed with the Court on June 8, 2009, her Recommended Decision (Docket No. 25). Plaintiff filed his Objection to the Recommended Decision (Docket No. 31) on July 24, 2009.

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 her 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 Plaintiff's 28 U.S.C. § 2255 Motion (Docket No. 1) **DENIED** and that no certificate of appealability shall be issued in the event that

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).

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

Dated: August 11, 2009