

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

| | | |
|-------------------------|---|------------------------------|
| PETER GAKUBA, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | Docket no. 2:23-cv-00009-GZS |
| |) | |
| ATTORNEY GENERAL OF THE |) | |
| STATE OF MAINE, |) | |
| |) | |
| Defendant. |) | |

**ORDERING REGARDING RECOMMENDED DECISION &
OTHER PENDING MOTIONS**

On January 18, 2023, the United States Magistrate Judge filed with the Court his Recommended Decision (ECF No. 16). That same day, Petitioner filed his Objection to the Recommended Decision (ECF No. 17), which notably consists of 386 pages. Thereafter, counsel for Defendant notified the Clerk’s Office that Defendant would not file any written response to this Objection.

The Court has reviewed and considered the Objection, along with the entire voluminous record. Having made a de novo determination of all matters adjudicated by the Magistrate Judge's Recommended Decision, the Court concurs with the recommendations of the Magistrate Judge for the reasons set forth in that order. As a result, the Court determines that no further proceedings are necessary with respect to this Recommended Decision.

It is therefore **ORDERED** that:

1. The Recommended Decision (ECF No. 16) is hereby **AFFIRMED**.
2. An evidentiary hearing is not warranted under Rule 8 of the Rules Governing Section 2254 cases.

3. Petitioner's Motion for habeas relief pursuant to 28 U.S.C. § 2254 (ECF No. 1) is hereby **DISMISSED**.
4. Petitioner's Application to Proceed Without Prepayment of Fees & Costs (ECF No. 2), Motion for CM/ECF Filing Privileges (ECF No. 3), Motion for Fee-Free PACER (ECF No. 4) are all **DENIED as MOOT**.

A certificate of appealability pursuant to Rule 11 of the Rules Governing Section 2255 Cases is hereby **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).

SO ORDERED.

/s/ George Z. Singal
United States District Judge

Dated this 19th day of January, 2023.