

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 15-11116-RGS

LAZARO FENANDEZ,
Petitioner

v.

KELLY RYAN,
Respondent

ORDER ON REPORT AND RECOMMENDATION
OF THE MAGISTRATE JUDGE

January 14, 2016

STEARNS, D.J.

I agree with Magistrate Judge Kelley's Report, specifically: (1) that Ground One of the petition is barred on independent state court grounds; and (2) that Ground Two raises alleged errors of state law that this court has no jurisdiction to correct. In other words, petitioner has failed to identify any state court determination that was contrary to or an unreasonable application of federal law clearly established by the United States Supreme Court. Consequently, the Recommendation is ADOPTED and the petition is DISMISSED with prejudice.¹ Any request for the issuance of a Certificate

¹ Petitioner has filed an Objection that simply repeats the substance of the arguments made in his Petition without identifying any flaws in the

of Appealability pursuant to 28 U.S.C. § 2253 is DENIED, the court seeing no meritorious or substantial basis supporting an appeal. The Clerk is instructed to close the case.

SO ORDERED.

/s/ Richard G. Stearns

UNITED STATES DISTRICT JUDGE

reasoning of the Magistrate Judge's Report or in her conclusions.