

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 16-11166-RGS

DOMINIC CAMPBELL,  
Petitioner

v.

DOUGLAS DEMOURA,  
Respondent

ORDER ON REPORT AND RECOMMENDATION  
OF THE MAGISTRATE JUDGE

August 8, 2017

STEARNS, D.J.

I agree with Magistrate Judge Boal's determination that the state court decisions at issue rest on an "independent and adequate" state ground (namely, the petitioner's failure to object at trial) and that the petition is therefore unreviewable by this court.<sup>1</sup> Consequently, her Recommendation is ADOPTED and the petition is DISMISSED with prejudice.<sup>2</sup> Any request for the issuance of a Certificate of Appealability pursuant to 28 U.S.C. § 2253 is DENIED, the court seeing no meritorious or substantial basis supporting

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<sup>1</sup> The Magistrate Judge persuasively identifies *Coleman v. Thompson*, 501 U.S. 722 (1991), among other sources, as controlling precedent.

<sup>2</sup> Petitioner has not filed an Objection to the Report.

an appeal. The Clerk is instructed to close the case.

SO ORDERED.

/s/ Richard G. Stearns

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UNITED STATES DISTRICT JUDGE