

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Bradford Chartrand

v.

Civil No. 12-cv-255-JL

NH Department of Corrections, et al

O R D E R

Plaintiff filed a Motion to Extend Time to File an Appeal on March 4, 2013. The Court construed the motion as a request to extend time to file a response to the February 11, 2013 Report and Recommendation. A response due date of April 8, 2013 was ordered.

No objection having been filed, I herewith approve the Report and Recommendation of Magistrate Judge Landya B. McCafferty dated February 11, 2013. "[O]nly those issues fairly raised by the objections to the magistrate's report are subject to review in the district court and those not preserved by such objection are precluded on appeal.'" School Union No. 37 v. United Nat'l Ins. Co., 617 F.3d 554, 564 (1st Cir. 2010) (quoting Keating v. Secretary of Health & Human Servs., 848 F.2d 271, 275 (1st Cir.1988)); see also United States v. Valencia-Copete, 792 F.2d 4, 6 (1st Cir. 1986) (after proper notice, failure to file a specific objection to magistrate's report will waive the right to appeal). Additionally, finding that the petitioner has failed to make a substantial showing of the denial

of a constitutional right, the court declines to issue a certificate of appeal ability. See 28 U.S.C. § 2253(c)(2); Rule 11, Rules Governing Habeas Corpus Cases Under Section 2254; First Cir. LR 22.0.

SO ORDERED.



Joseph N. Laplante
Chief Judge

Date: April 25, 2013

cc: Bradford Chartrand