

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRETrezjuan Thompson

v.

Case No. 13-cv-52-SM

Strafford County Department of
CorrectionsO R D E R

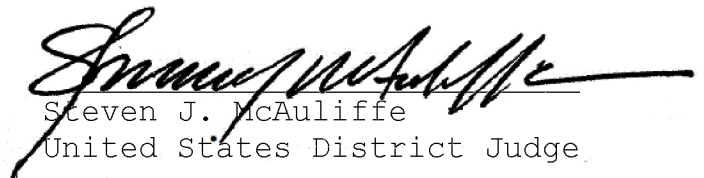
No objection having been filed, I herewith approve the Report and Recommendation of Magistrate Judge Landya B. McCafferty dated June 27, 2013, for the reasons set forth therein. “[O]nly those issues fairly raised by the objections to the magistrate’s report are subject to review in the district court 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).

Petitioner’s § 2241 petition is hereby dismissed for lack of jurisdiction. This order of dismissal is without prejudice to petitioner proceeding on similar claims in the District of Maine, and without prejudice to Petitioner filing, in any court of competent jurisdiction, claims arising from the same factual allegations in

a Bivens action or in an action filed pursuant to 42 U.S.C. § 1983.

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 appealability. 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.


Steven J. McAuliffe
United States District Judge

Date: July 22, 2013

cc: Trezjuan Thompson, pro se