

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Paul Blackmer

v.

Case No. 17-cv-41-SM

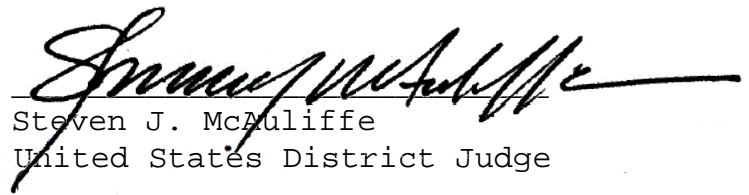
State of New Hampshire

O R D E R

After due consideration of the objection filed, I herewith approve the Report and Recommendation of Magistrate Judge Andrea K. Johnstone dated April 17, 2017, for the reasons set forth therein. The Petition for Writ of Habeas Corpus (document no. 1) is hereby denied for lack of jurisdiction, and petitioner's motion to recharacterize his initial filing (document no. 3) is also denied.

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: May 10, 2017

cc: Paul Blackmer, pro se