

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRECharles Barcus

v.

Civil No. 17-cv-167-PB

New Hampshire State Prison,
WardenO 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 August 22, 2017. The petitioner's habeas petition (Doc. No. 1) is denied for the reasons explained in the Report and Recommendation. The Clerk of Court shall enter judgment in accordance with this order and close the case.

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.

/s/ Paul Barbadoro
Paul Barbadoro
United States District Court

Date: October 13, 2017

cc: Counsel of Record