

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK-----X  
GUY MATTIA,JUDGMENT  
07-CV- 0899 (CBA)

Petitioner,

-against-

BRIAN FISHER, Commissioner, New York  
Dept. of Corrections and LUIS MARSHALL,  
Superintendent, Sing Sing Correctional Facility,Respondents.  
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A Memorandum and Order of Honorable Carol Bagley Amon, United States District Judge, having been filed on November 10, 2009, adopting the Report and Recommendation of Magistrate Judge Joan M. Azrack, dated April 30, 2008; denying petitioner's petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254; and ordering that a Certificate of Appealability shall not issue; it is

ORDERED and ADJUDGED that petitioner take nothing of the respondents; that the Report and Recommendation of Magistrate Judge Joan M. Azrack is adopted; that petitioner's petition for a writ of habeas corpus is denied pursuant to 28 U.S.C. § 2254; and that a Certificate of Appealability shall not issue.

Dated: Brooklyn, New York  
November 12, 2009

ROBERT C. HEINEMANN  
Clerk of Court