

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JAMES HINES,

Petitioner,

-against-

9:07-CV-902 (LEK/RFT)

J. TAYLOR, *Superintendent*,

Respondent

DECISION AND ORDER

This matter comes before the Court following a Report-Recommendation filed on July 28, 2010 by the Honorable Randolph F. Treece, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b) and L.R. 72.3 of the Northern District of New York. Report-Rec. (Dkt. No. 23). On August 6, 2010, Petitioner James Hines (“Petitioner”) filed objections to Report-Recommendation. Dkt. No. 24 (“Objections”).

This Court is to “make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636(b). “A [district] judge . . . may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” *Id.* The Court has considered the Objections, undertaken a de novo review of the record, and determined that the Report-Recommendation should be approved for the reasons stated therein.

Accordingly, it is hereby

ORDERED, that the Report-Recommendation (Dkt. No. 23) is **APPROVED** and **ADOPTED** in its **ENTIRETY**; and it is further

ORDERED, that Petitioner’s Petition for a Writ of *habeas corpus* (Dkt. No. 1) is

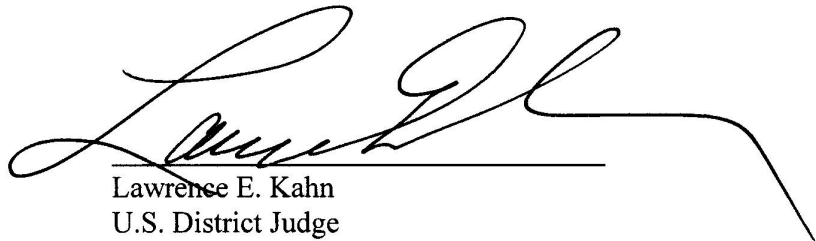
DENIED, and it is further

ORDERED, that no certificate of appealability shall issue with respect to any of
Petitioner's claims, and it is further

ORDERED, that the Clerk serve a copy of this Order on all parties.

IT IS SO ORDERED.

DATED: August 19, 2010
Albany, New York



Lawrence E. Kahn
U.S. District Judge