

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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MILES LEWIS,

Petitioner,

-v-

9:14-CV-1411  
(DNH/ATB)

T. GRIFFIN, Superintendent

Respondent.

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APPEARANCES:

OF COUNSEL:

MILES LEWIS  
Petitioner, Pro Se  
09-A-2520  
Eastern NY Correctional Facility  
Box 338  
Napanoch, NY 12458

HON. ERIC T. SCHNEIDERMAN  
Attorney General for the State of New York  
Attorney for Respondent  
120 Broadway  
New York, NY 10271

MICHELLE E. MAEROV, ESQ.  
Ass't Attorney General

DAVID N. HURD  
United States District Judge

**DECISION and ORDER**

Pro se petitioner Miles Lewis brought this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On August 12, 2015, the Honorable Andrew T. Baxter, United States Magistrate Judge, advised, by Report-Recommendation, that the petition be denied. Petitioner timely filed objections to the Report-Recommendation.

Based upon a de novo review of the portions of the Report-Recommendation to which petitioner objected, the Report-Recommendation is adopted in whole. See 28 U.S.C. § 636(b)(1); Rule 10, Rules Governing Section 2254 Cases.

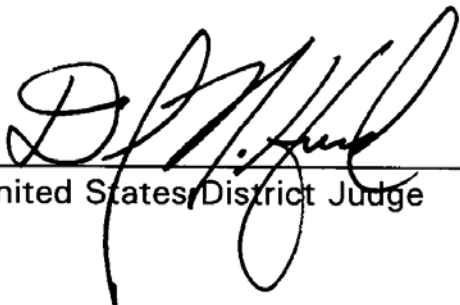
Therefore, it is

ORDERED that

1. The petition for a writ of habeas corpus is **DENIED** and **DISMISSED**; and
2. The Clerk is directed to close the file.

Because petitioner has not made a substantial showing of the denial of any constitutional right, a certificate of appealability will not issue. See 28 U.S.C. § 2253.

IT IS SO ORDERED.



United States District Judge

Dated: November 2, 2015  
Utica, New York.