

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RICHARD MARTIN,

Petitioner,

-v-

NEW YORK STATE BOARD OF PAROLE,

Respondent.

Case No. 13-CV-6803 (KMK)

ORDER ADOPTING REPORT AND
RECOMMENDATION

KENNETH M. KARAS, District Judge:

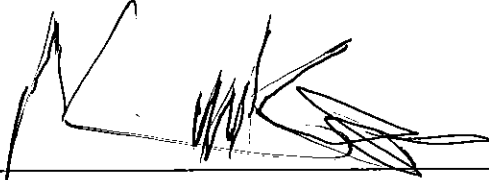
On December 29, 2015, Magistrate Judge Davison entered a Report & Recommendation (“R&R”) recommending that this Court deny Petitioner’s habeas corpus Petition. (R&R 20 (Dkt. No. 18).) In the R&R, Magistrate Judge Davison provides notice that objections to the R&R were due within 17 days, and that failure to object would preclude later appellate review of any order of judgment that will be entered. (*Id.* at 21.) No objections have been filed.

When a petitioner does not file any objections, the Court reviews an R&R for clear error. *See Rose v. Rivera*, No. 08-CV-6027, 2011 WL 3874718, at *1 (S.D.N.Y. Sept. 2, 2011). The Court has reviewed the R&R and finds no error, clear or otherwise. The Court therefore adopts the R&R in its entirety, and it is hereby

ORDERED that the Petition is DENIED. The Clerk of the Court is respectfully requested to close this case.

Because Petitioner has not made a substantial showing of the denial of a constitutional right, a certificate of appealability will not issue. *See* 28 U.S.C. § 2253(c)(2); *Lucidore v. N.Y. State Div. of Parole*, 209 F.3d 107, 111–12 (2d Cir. 2000). In addition, the Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this Order would not be taken in good faith. *See Coppedge v. United States*, 369 U.S. 438, 445 (1962).

DATED: White Plains, New York
February 24, 2016


KENNETH M. KARAS
UNITED STATES DISTRICT JUDGE