

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

MAURICE L. BIGELOW,)	
)	
Petitioner,)	
)	
v.)	1:13-CV-490
)	
KIERAN J. SHANAHAN,)	
)	
Respondent.)	

ORDER

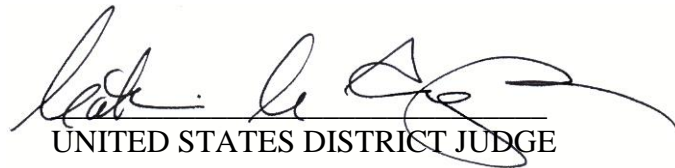
The Recommendation of the United States Magistrate Judge was filed with the Court in accordance with 28 U.S.C. § 636(b) and, on October 7, 2013, was served on the parties in this action. (Doc. 13.) Petitioner thereafter filed a paper writing on October 18, 2013. (Doc. 15.) The paper writing does not address the Recommendation in any specific way. *See* Fed.R.Civ.P. 72(b)(2) (providing that “[w]ithin 14 days after being served with a copy of the recommended disposition, a party may serve and file specific written objections to the proposed findings and recommendations.”). The district court is only required to review *de novo* those portions of the report to which specific objections have been made, *see* 28 U.S.C.A. § 636(b)(1), and need not conduct *de novo* review “when a party makes general and conclusory objections that do not direct the court to a specific error in the magistrate judge's proposed findings and recommendations.” *Orpiano v. Johnson*, 687 F.2d 44, 47 (4th Cir.1982); accord, *Farmer v. McBride*, 177 F. App'x 327, 330-31 (4th Cir. 2006).

Despite the petitioner's failure to object specifically as required by the Rules, the Court has reviewed the paper writing filed by the defendant and will treat it as an objection. Upon

consideration, the Court finds the petitioner's arguments to be frivolous and adopts the Magistrate Judge's recommendation in full.

IT IS THEREFORE ORDERED that Respondent's motion to dismiss this action (Doc. 7) is **GRANTED** and the Amended Petition (Doc. 3) is **DISMISSED**. A judgment dismissing this action will be entered contemporaneously with this Order. Finding no substantial issue for appeal concerning the denial of a constitutional right affecting the conviction, nor a debatable procedural ruling, a certificate of appealability is not issued.

This the 5th day of November, 2013.



UNITED STATES DISTRICT JUDGE