otherwise. As noted by the Superior Court, psychological evaluations performed prior to Petitioner's guilty plea revealed no mental infirmities, but instead, showed that he suffered a history of alcoholism.

Finally, Petitioner does nothing more than advance bald assertions of incompetency and argues that because he was being prescribed medication for his anxiety, that mere fact should have been sufficient to alert trial counsel and the trial court of his alleged mental incompetency. This bald contention, however, is belied by his responses during the plea colloquy and the psychological evaluations Petitioner underwent prior to his guilty plea. As noted, Petitioner has not pointed to any evidence or behaviors that would have given his counsel or the trial court cause to question or further explore his competence or that would cast doubt on his ability to "understand both the nature and object of the proceedings against him." *Drope*, 420 U.S. at 171. This Court finds, therefore, that Petitioner has failed to present any evidence to rebut the presumption of competency and the presumption of correctness applicable to the state court's competency determination. As such, the state court's determination, which was affirmed by the appellate courts, that Petitioner was competent to stand trial was not contrary to, or an unreasonable application of, clearly established federal law, nor was it an unreasonable determination of the facts in light of the evidence presented.

CONCLUSION

For the reasons stated herein, Petitioner's objections to Magistrate Judge Heffley's Report and Recommendation are overruled, the Report and Recommendation is approved and adopted, and Petitioner's petition for a writ of *habeas corpus* is denied. In addition, because reasonable jurists would not debate this Court's disposition of Petitioner's claims, a certificate of

appealability is denied. *See Slack v. McDaniel*, 529 U.S. 473, 484 (2000). An Order consistent with this Memorandum Opinion follows.

NITZA I. QUIÑONES ALEJANDRO, U.S.D.C. J.