

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

signed 9/4/02

XING HAI LIU,
INS No. A73 539 298,
Petitioner

v.

JOHN D. ASHCROFT,
Attorney General of the United States,
Respondent

Civil No. 02-088-P-C

**ORDER AFFIRMING THE
RECOMMENDED DECISION OF THE MAGISTRATE JUDGE**

The United States Magistrate Judge having filed with the Court on July 19, 2002, with copies to the *pro se* Petitioner and to counsel, her Recommended Decision herein (Docket No. 12); and Respondent having filed his Response thereto on July 24, 2002 (Docket No. 13); and this Court having reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; and this Court having made a *de novo* determination of all matters adjudicated by the Magistrate Judge's Recommended Decision, and concurring with the recommendations of the United States Magistrate Judge for the reasons set forth in her Recommended Decision, and having determined that no further proceeding is necessary; it is **ORDERED** as follows:

- (1) The Response of the Respondent is hereby **NOTED**;

- (2) The Recommended Decision of the Magistrate Judge is hereby **AFFIRMED**;
- (3) The Amended Petition for Writ of *Habeas Corpus* (Docket No. 5) is hereby **DISMISSED** as **MOOT**.

GENE CARTER
District Judge

Dated at Portland, Maine this 4th day of September, 2002.

XING HAI LIU
plaintiff

XING HAI LIU
[COR LD NTC] [PRO SE]
CUMBERLAND COUNTY JAIL
50 COUNTY WAY
PORTLAND, ME 04102

DENNIS CHEUNG, ESQ.
[term 04/26/02]
[COR LD NTC]
211 BAY 41ST STREET
BROOKLYN, NY 11214
(718) 373-3843

v.

US ATTORNEY GENERAL
defendant

CHRISTINE A. BITHER, ESQ.
[COR LD NTC]
U.S. DEPARTMENT OF JUSTICE
PO BOX 878
BEN FRANKLIN STATION
WASHINGTON, DC 20044
202/514-3567

JENNIFER LIGHTBODY, ESQ.
[COR LD NTC]
P.O. BOX 878
BEN FRANKLIN STATION
WASHINGTON, DC 20044
(202) 616-9352

MARK C. WALTERS, ESQ.
[COR LD NTC]
P.O. BOX 878
BEN FRANKLIN STATION
WASHINGTON, DC 20044
(202) 616-4857