

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

IAN STANDRING,)	
)	
PETITIONER)	
)	
v.)	CIVIL No. 10-321-B-H
)	
UNITED STATES OF AMERICA,)	
)	
RESPONDENT)	

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

On October 1, 2010, the United States Magistrate Judge filed with the Court, with copies to the parties, her Recommended Decision on 28 U.S.C. § 2254 Petition. Standring did not file an objection to the Recommended Decision, despite the Magistrate Judge’s explicit direction that he must do so or waive his right to *de novo* review and to appeal the district court’s order. Apparently Standring interpreted the Recommended Decision as a final decision and ignored the Notice at the end of the decision. Within the time to object, he requested a certificate of appealability “because I just received a notice of denial on my appeal of habeas corpus.” If I treat his request for a certificate of appeal as both an objection to the Recommended Decision and a request for certificate of appealability if the Recommended Decision is affirmed, I nevertheless affirm the Magistrate Judge’s Recommended Decision.

I have reviewed and considered the Recommended Decision, together with the entire record; I have made a *de novo* determination of all matters

adjudicated by the Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in the Recommended Decision, and determine that no further proceeding is necessary.

It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **ADOPTED**. The petition for 28 U.S.C. § 2254 relief is **DENIED**.

Further, I find that a certificate of appealability should not issue in the event that Standring files a notice of appeal because there is no substantial showing of the denial of a constitutional right within the meaning of 28 U.S.C. § 2253(c)(2).

SO ORDERED.

DATED THIS 27TH DAY OF OCTOBER, 2010

/s/ D. BROCK HORNBY
D. BROCK HORNBY
UNITED STATES DISTRICT JUDGE

**U.S. DISTRICT COURT
DISTRICT OF MAINE (BANGOR)
CRIMINAL DOCKET No. 1:10cv321 (DBH)**

Ian Standring,

Petitioner

Represented By **Ian Standring**, Pro Se
No. 63985
Maine State Prison
807 Cushing Road
Warren, ME 04864

v.

State of Maine,

Respondent

Represented By **Donald W. Macomber**
Assistant Attorney General
State House Station 6
Augusta, ME 04333-0006
(207) 626-8800
email:
donald.w.macomber@maine.gov