

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

<b>GREG JAMES WARMKE,</b>	)	
	)	
<b>PETITIONER</b>	)	
	)	
<b>v.</b>	)	<b>CIVIL No. 1:11-cv-370-DBH</b>
	)	
<b>PATRICIA BARNHART, <i>Warden,</i></b>	)	
<b><i>Maine State Prison,</i></b>	)	
	)	
<b>RESPONDENT</b>	)	

**AMENDED<sup>1</sup> ORDER AFFIRMING RECOMMENDED DECISION  
OF THE MAGISTRATE JUDGE**

On March 6, 2012, the United States Magistrate Judge filed with the court, with copies to the parties her Recommended Decision on the Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody. The petitioner filed his objection to the Recommended Decision on March 26, 2012. 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.

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<sup>1</sup> The order is amended to correctly reflect the respondent in the case caption as “Patricia Barnhart, *Warden, Maine State Prison*” rather than “United States of America.”

It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **ADOPTED**. The petitioner is **DENIED** relief under 28 U.S.C. § 2254, **WITH PREJUDICE**, and the petition is **DISMISSED**.

Finally, I find that no certificate of appealability shall issue in the event the petitioner 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).

**SO ORDERED.**

**DATED THIS 29<sup>TH</sup> DAY OF MARCH, 2012**

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

**U.S. DISTRICT COURT  
DISTRICT OF MAINE (BANGOR)  
CRIMINAL DOCKET No. 1:11cv370 (DBH)**

**Greg James Warmke,**

**Petitioner**

Represented By Greg James Warmke, Pro Se  
No. 82668  
Maine State Prison  
807 Cushing Road  
Warren, ME 04864

**v.**

**Patricia Barnhart,** *Warden, Maine  
State Prison,*

**Respondent**

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