

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

ROBERT MARION,)	
)	
PETITIONER)	
)	No. 2:04-CR-94-DBH
v.)	No. 2:12-cv-215-DBH
UNITED STATES OF AMERICA,)	No. 2:08-cv-60-DBH
)	
RESPONDENT)	

ORDER

The Court of Appeals for the First Circuit has directed that I issue or deny a certificate of appealability on my Order of September 4, 2012. A certificate of appealability is **DENIED**. As the Magistrate Judge ruled and I affirmed, the petitioner must seek permission directly from the First Circuit to pursue this second application for post-conviction relief.

So ORDERED.

DATED THIS 9TH DAY OF OCTOBER, 2012

/s/D. BROCK HORNBY

D. BROCK HORNBY
UNITED STATES DISTRICT JUDGE

**U.S. DISTRICT COURT
DISTRICT OF MAINE (PORTLAND)
CRIMINAL DOCKET No. 2:04CR94 (DBH)**

United States of America

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v.

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Defendant

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