

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

JAMES R. RIGGS, Jr.)	
)	
Plaintiff,)	
)	
v.)	Civil No. 05-23-P-S
)	Crim. No. 99-79-P-S
D.B. DREW, Warden,)	
FCI Raybrook)	
)	
Defendant.)	

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

The United States Magistrate Judge filed with the Court on May 11, 2005, her Recommended Decision (Docket No. 8). The Government filed its Objection to the Recommended Decision (Docket No. 10) on June 7, 2005, asking this Court to affirm the ruling of the Magistrate Judge utilizing alternative grounds. Plaintiff filed no response to this Objection.

I have reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; I have made a de novo determination of all matters adjudicated by the Magistrate Judge's Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in her Recommended Decision, and determine that no further proceeding is necessary.

1. It is therefore ORDERED that the Recommended Decision of the Magistrate Judge is hereby AFFIRMED.
2. The Government's Motion to Dismiss (Docket No. 7) is GRANTED and Plaintiff's 28 U.S.C. § 2241 Petition (Docket No. 1) is DENIED.

/s/ George Z. Singal
Chief U.S. District Judge

Dated this 28th day of June, 2005.

JAMES R RIGGS

represented by **JAMES R RIGGS**

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