

**UNITED STATES DISTRICT COURT  
District of Maine**

<b>MITCHELL MCGUIRE</b>	)	
	)	
	)	
v.	)	
	)	<b>Crim. No. 03-08-P-S</b>
<b>UNITED STATES OF AMERICA,</b>	)	<b>Civil No. 07-183-P-S</b>
	)	
<b>Defendants</b>	)	
	)	
	)	

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

The United States Magistrate Judge filed with the Court on May 2, 2008, her Recommended Decision (Docket No. 12). Plaintiff Mitchell McGuire filed his Objection to the Recommended Decision (Docket No. 13) on May 15, 2008.

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. It is **ORDERED** that the United States' Motion to Dismiss (Docket No. 9) is **GRANTED**.

3. It is **ORDERED** that the Plaintiff's 28 U.S.C. §2255 Motion (Docket No. 1) is **DENIED**.

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

Dated: June 13, 2008

**Petitioner**

**MITCHELL MCGUIRE**

represented by **MITCHELL MCGUIRE**  
LEWISBURG  
U.S. PENITENTIARY  
Inmate Mail/Parcels  
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LEWISBURG, PA 17837  
PRO SE

V.

**Respondent**

**USA**

represented by **MARGARET D. MCGAUGHEY**  
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