

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

<b>COLEMAN JOSEPH FENTON, JR.,</b>	)	
	)	
<b>Plaintiff</b>	)	
v.	)	<b>Crim. No. 02-57-P-S</b>
	)	<b>Civil No. 05-181-P-S</b>
<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Defendant</b>	)	

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

No objections having been filed to the Magistrate Judge's Recommended Decision (Docket No. 31) filed June 30, 2008, the Recommended Decision is **AFFIRMED**.

Accordingly, it is **ORDERED** that Plaintiff's Motion to Reopen (Docket No. 20) 28 U.S.C. §2255 Petition is **GRANTED**. The Government shall respond to the allegations of ineffective assistance in subsections (d),(e),(f),(g),(h),(i),(j),(p) and (s) of the Petition within sixty (60) days of the date of this Order. The remainder of the pro se petition is summarily **DISMISSED**.

/s/ George Z. Singal  
Chief United States District Judge

Dated this 23rd day of July, 2008.

**Plaintiff**

**COLEMAN JOSEPH FENTON,  
JR**

represented by **COLEMAN JOSEPH FENTON,  
JR**

04196-036  
U.S. PENITENTIARY  
P.O. Box 33  
TERRE HAUTE, IN 47808  
PRO SE

**H. ERNEST STONE**  
H. ERNEST STONE,  
ATTORNEY AT LAW  
SIX BAY ROAD  
S. HAMILTON, MA 01982  
978-468-2171  
Email: hes@hestone.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**USA**

represented by **MARGARET D.  
MCGAUGHEY**

U.S. ATTORNEY'S OFFICE  
DISTRICT OF MAINE  
100 MIDDLE STREET PLAZA  
PORTLAND, ME 04101  
(207) 780-3257  
Email:  
margaret.mcgaughey@usdoj.gov  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*