

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

<b>DAVID CLOUGH,</b>	)	
	)	
<b>Plaintiff</b>	)	<b>Crim. No. 05-101-P-S</b>
<b>v.</b>	)	<b>Civil No. 08-415-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. 2) filed December 8, 2008, the Recommended Decision is AFFIRMED.

Accordingly, it is ORDERED that the 28 U.S.C. §2255 motion is DENIED and that the motion is summarily dismissed pursuant to Rule Governing Section 2255 Proceedings 4. Should a notice of appeal be filed, no certificate of appealability shall be issued because there is no substantial showing of the denial of a constitutional right within the meaning of 28 U.S.C. § 2253(c)(2).

/s/ George Z. Singal  
United States District Judge

Dated this 2nd day of February, 2009.

**Plaintiff**

**DAVID CLOUGH FINCH**

represented by **DAVID CLOUGH FINCH**  
09784-036  
USP COLEMAN II  
US PENITENTIARY  
INMATE MAIL/PARCELS  
PO BOX 1034  
COLEMAN, FL 33521  
PRO SE

V.

**Defendant**

**USA**

represented by **MARGARET D.  
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