

**UNITED STATES DISTRICT COURT
District of Maine**

COLEMAN JOSEPH FENTON, JR.,)	
)	
)	
v.)	
)	Criminal No. 02-57-P-S
UNITED STATES OF AMERICA,)	Civil No. 05-181-P-S
)	
)	

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

The United States Magistrate Judge filed with the Court on January 29, 2009, her Recommended Decision (Docket No. 47). Plaintiff filed his Objection to the Recommended Decision (Docket No. 52) on February 27, 2009.

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

3. Should Plaintiff file an appeal, the certificate of appealability shall not issue 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

U.S. District Judge

Dated this 19th day of March, 2009

Plaintiff

**COLEMAN JOSEPH FENTON,
JR**

represented by **COLEMAN JOSEPH FENTON,
JR**

04196-036

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