

**UNITED STATES DISTRICT COURT
District of Maine**

WILLARD JOHN ALLEN,)	
)	
Plaintiff)	
)	
v.)	Civil No. 08-329-P-S
)	Crim. No. 04-08-P-S
UNITED STATES OF AMERICA,)	
)	
Defendant)	
)	

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

The United States Magistrate Judge filed with the Court on June 8, 2009, her Recommended Decision (Docket No. 25). Plaintiff filed his Objection to the Recommended Decision (Docket No. 31) on July 24, 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) **DENIED** and that no certificate of appealability shall be issued in the event that

Plaintiff files a Notice of Appeal 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: August 11, 2009

Plaintiff

WILLARD JOHN ALLEN

represented by **WILLARD JOHN ALLEN**

04443-036

OTISVILLE

FEDERAL CORRECTIONAL
INSTITUTION

Inmate Mail/Parcels

P.O. BOX 1000

OTISVILLE, NY 10963

PRO SE

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

RENEE M. BUNKER

U.S. ATTORNEY'S OFFICE

DISTRICT OF MAINE

100 MIDDLE STREET PLAZA

PORTLAND , ME 04101

Email: renee.bunker@usdoj.gov

ATTORNEY TO BE NOTICED