

**UNITED STATES DISTRICT COURT
District of Maine**

HECTOR MOJICA,)	
)	
Movant)	
)	
v.)	2:07-cr-95-GZS
)	2:10-cv-228-GZS
UNITED STATES OF AMERICA,)	
)	
Respondent)	
)	

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

The United States Magistrate Judge filed with the Court on February 4, 2011, her Recommended Decision (Docket No. 529). Movant filed his Objection to the Recommended Decision (Docket No. 546) on April 18, 2011.

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 Movant's 28 U.S.C. § 2255 motion (Docket No. 498) is **DENIED**.

3. It is hereby **ORDERED** that no certificate of appealability shall issue in the event that Movant 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 this 6th day of May, 2011.

Defendant (1)

HECTOR MOJICA

TERMINATED: 10/14/2008

also known as

PETO

TERMINATED: 10/14/2008

also known as

PITZO

TERMINATED: 10/14/2008

represented by **HECTOR MOJICA**

04995-036

ALLENWOOD MEDIUM
FEDERAL CORRECTIONAL
INSTITUTION

Inmate Mail/Parcels

P.O. BOX 2000

WHITE DEER, PA 17887

PRO SE

JOHN A. CIRALDO

PERKINS THOMPSON, PA

ONE CANAL PLAZA

P.O. BOX 426

PORTLAND, ME 04112

774-2635

Email:

jciraldo@perkinsthompson.com

TERMINATED: 08/20/2008

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: CJA Appointment

PETER E. RODWAY

RODWAY & HORODYSKI

30 CITY CENTER

PORTLAND, ME 04104

773-8449

Email: rodlaw@maine.rr.com

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: Retained

MARGARET D. MCGAUGHEY
(See above for address)
ATTORNEY TO BE NOTICED

Pending Counts

CONSPIRACY TO DISTRIBUTE
AND POSSESS WITH INTENT TO
DISTRIBUTE CRACK COCAINE
IN VIOLATION OF 21:846,
21:841(a)(1) and 18:2
(1)

Disposition

105 Months Imprisonment; 5 Years
Supervised Release; \$100 Special
Assessment.

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

**Highest Offense Level
(Terminated)**

None

Complaints

None

Disposition

Plaintiff

USA

represented by **DAVID B. JOYCE**
U.S. ATTORNEY'S OFFICE
DISTRICT OF MAINE
100 MIDDLE STREET PLAZA
PORTLAND, ME 04101
(207) 771-3217
Email: david.joyce@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

DONALD E. CLARK
U.S. ATTORNEY'S OFFICE
DISTRICT OF MAINE
100 MIDDLE STREET PLAZA

PORTLAND, ME 04101
(207) 780-3257
Email: donald.clark@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
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

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
ATTORNEY TO BE NOTICED