

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

KAYA SIMIONS,)	
)	
Plaintiff)	
)	
v.)	2:09-cr-199-GZS
)	2:11-cv-154-GZS
UNITED STATES OF AMERICA,)	
)	
Defendant)	
)	

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

The United States Magistrate Judge filed with the Court on January 9, 2012, her Recommended Decision (Docket No. 52). Movant filed his Objection to the Recommended Decision (Docket No. 54) on February 24, 2012.

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 **ORDERED** that Movant's 28 U.S.C. § 2255 Motion is **DENIED**.

3. It is **ORDERED** that a certificate of appealability shall not issue in the event that Movant files a Notice of Appeal because there is no substantial showing of the denial of a constitutional right as contemplated by 28 U.S.C. § 2253(c)(2).

/s/George Z. Singal

U.S. District Judge

Dated this 2nd day of April, 2012.

Defendant (1)

KAYA SIMIONS

TERMINATED: 05/19/2010

represented by **KAYA SIMIONS**

05601-036

USP CANAAN

US PENITENTIARY

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ATTORNEY TO BE NOTICED

Designation: Public Defender or

Community Defender Appointment

Pending Counts

POSSESSION OF A FIREARM BY

A FELON, 18:922(g)(1) AND

924(e).

(1)

Disposition

Imprisonment: 180 months;

Supervised Release: 5 years; Special

Assessment: \$100.

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Disposition

Highest Offense Level
(Terminated)

None

Complaints

None

Disposition

Plaintiff

USA

represented by **DARCIE N. MCELWEE**
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