

**UNITED STATES DISTRICT COURT
District of Maine**

| | | |
|----------------------------------|---|------------------------------|
| DENNIS J. MOONEY, |) | |
| |) | |
| Movant, |) | |
| |) | |
| v. |) | No. 1:01-cr-00003-GZS |
| |) | 1:03-cv-00210-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 August 30, 2013, her Recommended Decision (ECF No. 200). Movant filed his Objection to the Recommended Decision (ECF No. 201) on September 19, 2013.

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 Motion to Reopen his 28 U.S.C. §2255 Motion (ECF No. 198) is **DENIED WITHOUT PREJUDICE** to his right to file a new §2255 Motion should he ever obtain the First Circuit Court of Appeal's certification to do so.

/s/George Z. Singal

U.S. District Judge

Dated this 8th day of October, 2013.

Defendant (1)

DENNIS J MOONEY

TERMINATED: 03/08/2002

also known as

MICHAEL MANN

also known as

KEVIN BERNIER

represented by **DENNIS J MOONEY**

10488-036

USP CANAAN

US PENITENTIARY

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TERMINATED: 03/08/2002

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: CJA Appointment

Pending Counts

None

Highest Offense Level (Opening)

None

Terminated Counts

Disposition

Disposition

18:1951.F HOBBS ACT ROBBERY
- INTERFERENCE WITH
COMMERCE BY THREAT OR
VIOLENCE
(1)

Imprisonment of 210 months on
Count 1 and 120 months on Count 2,
to be served consecutively for a total
length of 330 months; Supervised
Release of 3 years on each of Counts
One and Two, concurrent. \$200
Special Assessment; \$196.00 Restitut
ion, joint & several. Deft remanded to
custody of U S Marshal.

18:1951.F HOBBS ACT ROBBERY
(1s)

18:924C.F USE OF FIREARM IN
CRIME OF VIOLENCE
(2)

Imprisonment of 210 months on
Count 1 and 120 months on Count 2,
to be served consecutively for a total
length of 330 months; Supervised
Release of 3 years on each of Counts
One and Two, concurrent. \$200
Special Assessment; \$196.00 Restitut
ion, joint & several. Deft remanded to
custody of U S Marshal.

18:924C.F USE OF FIREARM IN A
CRIME OF VIOLENCE
(2s)

26:5861D.F POSSESSION OF
SAWED-OFF SHOTGUN
(3)

26:5861D.F POSSESSION OF
UNREGISTERED SAWED-OFF
SHOTGUN
(3s)

Found not guilty after jury trial.

18:922G.F FELON IN POSSESSION
OF FIREARM
(4)

18:922G.F FELON IN POSSESSION
OF FIREARM
(4s)

Found not guilty after jury trial.

Highest Offense Level
(Terminated)

Felony

Complaints

None

Disposition

Plaintiff

USA

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