

**UNITED STATES DISTRICT COURT
District of Maine**

HUSSEIN AL-RIKABI,)	
)	
Movant)	
)	
v.)	No. 2:07-cr-00106-GZS
)	No. 2:13-cv-00268-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 January 3, 2014, her Recommended Decision (ECF No. 253). Movant filed his Objection to the Recommended Decision (ECF No. 254) on January 27, 2014.

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 the Movant's 28 U.S.C. § 2255 Motion (ECF No. 244) is hereby **DENIED**.

3. It is hereby **ORDERED** that Movant is **DENIED** a certificate of appealability pursuant to Rule 11 of the Rules Governing Section 2255 Cases 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 18th day of February, 2014.

Defendant (1)

HUSSEIN AL-RIKABI

TERMINATED: 10/15/2008

also known as

MIKE

TERMINATED: 10/15/2008

represented by **HUSSEIN AL-RIKABI**

28938-050

FCI MOSHANNON VALLEY

555 GEO DRIVE

PHILIPSBURG, PA 16866

PRO SE

PETER E. RODWAY

RODWAY & HORODYSKI

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LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: CJA Appointment

DAVID R. BENEMAN

FEDERAL DEFENDER'S OFFICE

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TERMINATED: 05/01/2008

ATTORNEY TO BE NOTICED

Designation: Public Defender or

Community Defender Appointment

Pending Counts

Conspiracy to distribute and possess with intent to distribute 5 grams or more of a mixture or substance containing cocaine base, also known as crack cocaine in violation of 21 U.S.C. section 841(a)(1) and 846 (1)

Distribution of 5 grams or more of a mixture or substance containing cocaine base, also known as crack cocaine in violation of 21 U.S.C. section 841(a)(1) (2-3)

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Highest Offense Level (Terminated)

None

Complaints

21:841A=ND.F, COUNTS I-II: distribution of 5 grams or more of cocaine base, 21:841(a)(1)

Disposition

121 Months Imprisonment on each of counts 1, 2, and 3, to be served concurrently; 5 Years Supervised Release on each of counts 1, 2, and 3, to be served concurrently; \$300 Special Assessment.

121 Months Imprisonment on each of counts 1, 2, and 3, to be served concurrently; 5 Years Supervised Release on each of counts 1, 2, and 3, to be served concurrently; \$300 Special Assessment.

Disposition

Disposition

151 Months Imprisonment on each of counts 1, 2, and 3, to be served concurrently; 5 Years Supervised Release on each of counts 1, 2, and 3, to be served concurrently; \$300 Special Assessment.

Plaintiff

USA

represented by **MARGARET D. MCGAUGHEY**
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