

**UNITED STATES DISTRICT COURT
District of Maine**

CURTIS SIMMONS,)	
)	
Petitioner,)	
)	
v.)	No. 2:11-cr-00063-GZS-2
)	2:13-cv-00293-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 March 31, 2014 his Recommended Decision (ECF No. 199). Petitioner filed his Objection to the Recommended Decision (ECF No. 200) on April 24, 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 his 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 Petitioner's Motion for habeas relief under 28 U.S.C. § 2255 (ECF No. 184) is **DISMISSED**.

3. It is hereby **ORDERED** that a certificate of appealability is **DENIED** because there is no substantial showing of the denial of a constitutional right within the meaning of 28 U.S.C. § 2253(c).

/s/George Z. Singal

U.S. District Judge

Dated this 14th day of May, 2014.

Defendant (2)

CURTIS SIMMONS

TERMINATED: 07/31/2012

represented by **CURTIS SIMMONS**

06951-036

FMC DEVENS

FEDERAL MEDICAL CENTER

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TERMINATED: 04/07/2011

ATTORNEY TO BE NOTICED

Designation: CJA Appointment

Pending Counts

CONSPIRACY TO DISTRIBUTE
AND POSSESS WITH INTENT TO
DISTRIBUTE OXYCODONE,

Disposition

114 month term of imprisonment, 3
years supervised release, \$100.00
special assessment.

21:846 and 841(a)(1)
(1)

Highest Offense Level (Opening)

Felony

Terminated Counts

POSSESSION WITH INTENT TO
DISTRIBUTE OXYCODONE,
21:841(a)(1)
(2)

Disposition

Dismissed upon motion made by the
government.

**Highest Offense Level
(Terminated)**

Felony

Complaints

COUNT 1- CONSPIRACY TO
DISTRIBUTE AND POSSESS
WITH INTENT TO DISTRIBUTE A
MIXTURE OR SUBSTANCE
CONTAINING OXYCODONE,
21:846 AND 21:841(a)(1). COUNT
2- POSSESSION WITH INTENT TO
DISTRIBUTE A MIXTURE OR
SUBSTANCE CONTAINING
OXYCODONE, 21:841(a)(1).

Disposition

Plaintiff

USA

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