

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

CHAMROEUN PHENG,)
)
Petitioner,)
)
v.) Civil No. 05-62-B-W
)
STATE OF MAINE,)
)
Respondent.)

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

The United States Magistrate Judge filed with the Court on June 1, 2005 her Recommended Decision. The Plaintiff filed his objections to the Recommended Decision on June 7, 2005. 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 further ORDERED that the Respondent's Motion to Dismiss (Docket #6) the Petitioner's 28 U.S.C. § 2254 Petition is GRANTED.

/s/ John A. Woodcock, Jr.
JOHN A. WOODCOCK, JR.
UNITED STATES DISTRICT JUDGE

Dated this 28th day of June, 2005

Petitioner

CHAMROEUN PHENG

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V.

Respondent

MAINE, STATE OF

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