



Recommended Decisions on December 3, 2008. *Objection to Magistrate Judge Margaret J. Kravchuk's Recommended Decision* (Docket # 50). I have reviewed and considered the Magistrate Judge's Recommended Decisions, together with the entire record; I have made a *de novo* determination of all matters adjudicated by the Magistrate Judge's Recommended Decisions; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in her Recommended Decisions, and determine that no further proceeding is necessary.

1. It is therefore ORDERED that the Recommended Decisions of the Magistrate Judge (Docket #s 43 and 44) are hereby AFFIRMED.
2. It is further ORDERED that the Petitioner's 28 U.S.C. § 2254 Petition (Docket # 1) be and hereby is DENIED.
3. It is further ORDERED that the Respondent's Motion to Dismiss Petitioner's 28 U.S.C. § 2254 Petition (Docket # 23) be and hereby is GRANTED.
4. It is further ORDERED that the Petitioner's Motion for Temporary Restraining Order (Docket # 42) be and hereby is DENIED.
5. It is further ORDERED that no certificate of appealability should issue in the event the Petitioner files a notice of appeal because there is no substantial showing of the denial of a constitutional right within the meaning of 28 U.S.C. § 2253(c)(2).

SO ORDERED.

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

Dated this 6th day of January, 2009

**Petitioner**

**RANDAL S HARR**

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**Respondent**

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**Respondent**

**MARTIN A MAGNUSSON**

*Commissioner, Maine Department of  
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