

UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE

RICHARD RODRIGUE,	)	
	)	
Petitioner,	)	
	)	
v.	)	CV-09-537-B-W
	)	CR-04-11-B-W
UNITED STATES OF AMERICA,	)	
	)	
Respondent.	)	

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

No objection having been filed to the Magistrate Judge's Recommended Decision filed November 3, 2009, the Recommended Decision is accepted.

Accordingly, it is hereby ORDERED that the Recommended Decision of the Magistrate Judge is hereby AFFIRMED.

It is further ORDERED that the Petitioner's 28 U.S.C. § 2255 Petition (Docket # 1) be and hereby is DENIED.

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).

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

Dated this 2nd day of December, 2009

**Petitioner**

**RICHARD RODRIGUE**

represented by **RICHARD RODRIGUE**  
10842-036  
FMC DEVENS  
FEDERAL MEDICAL CENTER  
P.O. BOX 879  
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PRO SE

V.

**Respondent**

**USA**

represented by **MARGARET D.  
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