

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

EUGENE ERWIN ALLEN, JR.,)
)
 Petitioner,)
)
 v.) 1:03-cr-00058-JAW
)
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 June 28, 2016 (ECF No. 95), the Recommended Decision is accepted.

Accordingly, it is hereby ORDERED that the Petitioner’s Motion to Amend (ECF No. 91) be and hereby is DISMISSED as moot. It is further ORDERED that the prior Recommended Decision of the Magistrate Judge (ECF No. 93) is hereby MOOTED. It is further ORDERED that the Petitioner’s Motion to Vacate, Set Aside or Correct Sentence (2255) (ECF No. 75) be and hereby is DIMISSED. 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 13th day of September, 2016