

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

KYLE SYLVIA,

Petitioner,

v.

GARY RODEN,

Respondent.

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Civil Action No. 12-10610-JLT

ORDER

August 20, 2013

TAURO, J.

This court ACCEPTS and ADOPTS the July 18, 2013, Report and Recommendation [#21] of Magistrate Judge Collings. For the reasons set forth in the Report and Recommendation, this court hereby orders that:

1. Petitioner's Petition Under 28 U.S.C. § for Writ of Habeas Corpus [#1] is DENIED.
2. On August 5, 2013, this court ALLOWED IN PART and DENIED IN PART Petitioner's Motion for Appointment of Counsel, Motion for an Evidentiary Hearing, or in the Alternative, Motion for an Enlargement of Time [#22]. This court DENIED appointment of counsel and an evidentiary hearing and ALLOWED an enlargement of time.
3. Final Judgment shall enter for Respondent. THIS CASE IS CLOSED.

IT IS SO ORDERED.

/s/ Joseph L. Tauro
United States District Judge