## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION

LACARO ROQUE,

Petitioner,

Case No. 08-13373

v.

RANDALL HAAS,

ARTHUR J. TARNOW

SENIOR UNITED STATES DISTRICT JUDGE

MAGISTRATE JUDGE PAUL J. KOMIVES

Respondent.

## ORDER ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION [39]

Now before the court is the Magistrate Judge's Report and Recommendation ("R&R") [39], entered on June 26, 2013, recommending the Court deny Petitioner's application for the writ of habeas corpus and deny Petitioner a certificate of appealability.

No objection to the Report and Recommendation [39] was filed. The Court has reviewed the record in this case.

The Report and Recommendation [39] of the Magistrate Judge is hereby

ADOPTED and is entered as the findings and conclusions of the Court.

Accordingly,

**IT IS ORDERED** that Petitioner's application for the writ of habeas corpus is **DENIED**.

**IT IS FURTHER ORDERED** that Petitioner is **DENIED** a certificate of appealability.

## SO ORDERED.

<u>s/Arthur J. Tarnow</u> ARTHUR J. TARNOW SENIOR U.S. DISTRICT JUDGE

Dated: July 31, 2013

## **CERTIFICATE OF SERVICE**

I hereby certify on July 31, 2013 that I electronically filed the foregoing paper with the Clerk of the Court sending notification of such filing to all counsel registered electronically. I hereby certify that a copy of this paper was mailed to the following non-registered ECF participants on July 31, 2013: Lacaro Roque.

<u>s/Michael E. Lang</u> Deputy Clerk to District Judge Arthur J. Tarnow (313) 234-5182