

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 1/17/2020

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:  
PHILLIP WASHINGTON, :  
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Petitioner, :  
:  
-against- :  
:  
THOMAS GRIFFIN, SUPERINTENDENT, :  
:  
Respondent. :  
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17 Civ. 3849 (LGS)  
ORDER

LORNA G. SCHOFIELD, District Judge:

WHEREAS, on May 16, 2017, Petitioner Washington filed a pro se petition for habeas relief. ECF No. 1. On September 29, 2017, Respondent filed a brief in opposition. ECF No. 10. Pro se Petitioner filed a reply on November 3, 2017. ECF No. 13;

WHEREAS, on August 23, 2017, an Order was filed referring this matter for assignment to a Magistrate Judge for Habeas Corpus. ECF No. 8;

WHEREAS, on December 23, 2019, Magistrate Judge Cave issued a Report & Recommendation that the Petition should be dismissed in its entirety. ECF No. 22 at 32;

WHEREAS, “[t]o accept the report and recommendation of a magistrate, to which no timely objection has been made, a district court need only satisfy itself that there is no clear error on the face of the record.” *Trustees of Drywall Tapers and Pointers Local Union No. 1974 Benefit Fund v. Cite C Corp.*, 17 Civ. 9304, 2019 WL 1745743, at \*1 (S.D.N.Y. Apr. 18, 2019) (internal quotation omitted);

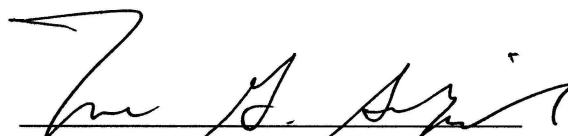
WHEREAS, the Report & Recommendation has been reviewed for clear error and there is none. It is hereby

**ORDERED** that the Report & Recommendation is ADOPTED in full and the petition is DISMISSED in its entirety. It is further

**ORDERED** that the Court declines to issue a certificate of appealability pursuant to 28 U.S.C. § 2253(c)(1)(A), as Petitioner has not “made a substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2).

The Clerk of Court is respectfully directed to mail a copy of this Order to the Petitioner.

Dated: January 17, 2020  
New York, New York



**LORNA G. SCHOFIELD**  
**UNITED STATES DISTRICT JUDGE**