

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

CYNTHIA S. GALENS,

Petitioner,

v.

DECISION AND ORDER
15-CV-37A

SABINA KAPLAN, SUPERINTENDENT,
BEDFORD HILLS CORRECTIONAL FACILITY,

Respondent.

The above-referenced case was referred to Magistrate Judge Jeremiah J. McCarthy, pursuant to 28 U.S.C. § 636(b)(1)(B). On May 15, 2017, Magistrate Judge McCarthy filed a Report and Recommendation (Dkt. No. 15), recommending that Petitioner's petition for a writ of habeas corpus relief (Dkt. No. 1) be denied.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge McCarthy's Report and Recommendation, Petitioner's motion for habeas corpus relief is denied. Further, because Petitioner has failed to make a substantial showing of a denial of a constitutional right, a certificate of appealability shall not issue. Finally, the Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal taken from this decision would not be taken in good faith.

The Clerk of Court shall take all steps necessary to close the case.

IT IS SO ORDERED.

Richard J. Arcara

HONORABLE RICHARD J. ARCARA
UNITED STATES DISTRICT COURT

Dated: June 26, 2017