

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>DONYELL PADDY</b>	:	<b>CIVIL ACTION</b>
	:	
v.	:	
	:	
<b>JEFFREY BEARD, LOUIS S. FOLINO, THE DISTRICT ATTORNEY OF THE COUNTY OF PHILADELPHIA, THE ATTORNEY GENERAL OF THE STATE OF PENNSYLVANIA</b>	:	<b>No. 03-5312</b>
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	:	
	:	

**ORDER**

AND NOW, this 20th day of November, 2012, upon consideration of the petition for writ of habeas corpus (paper no. 1), the Report and Recommendation of the Honorable Thomas J. Rueter, Chief United States Magistrate Judge (paper no. 39), petitioner's objections to the Report and Recommendation (paper no. 50), and all other relevant papers in the record, for the reasons set forth in the accompanying memorandum, it is **ORDERED** that:

1. Petitioner's objections are **OVERRULED**.
2. The Report and Recommendation is **APPROVED** and **ADOPTED**.
3. The petition for writ of habeas corpus is **DENIED**.
4. Because the petitioner has failed to make a substantial showing of the denial of a constitutional right, there is no basis for issuing a certificate of appealability.

/s/ Norma L. Shapiro

J.