SATIZABAL v. FOLINO et al Doc. 43

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

CARLOS SATIZABAL,	:	
Petitioner,	:	
	:	
v.	:	**CIVIL ACTION NO. 06-1435**
	:	
LOUIS FOLINO, *et al.*	:	
Respondents.	:	
	:	

ORDER

AND NOW, this 13th day of November 2012, upon careful and independent consideration of the Petition for Writ of Habeas Corpus, the briefs, and the state court record, and upon review of the Report and Recommendation of United States Magistrate Judge Linda K. Caracappa [Doc. No. 33] and the objections and responses thereto, and pursuant to the Judgment of the Court of Appeals [Doc. No. 26], it is hereby **ORDERED** that:

1. The Report and Recommendation [Doc. No. 33] is **APPROVED** and **ADOPTED**;
2. The Objections are **OVERRULED;**
3. The Petition for Writ of Habeas Corpus is **DENIED and DISMISSED**;
4. The Motion for Stay and Abeyance [Doc. No. 40] is **DISMISSED AS MOOT**;
5. The Motion to Amend [Doc. No. 41] is **DENIED**;
6. There is no probable cause to issue a certificate of appealability; and
7. The Clerk of Court is directed to **CLOSE** the case.

It is so **ORDERED**.

BY THE COURT:

/s/ Cynthia M. Rufe

CYNTHIA M. RUFE, J.

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