

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

PAUL MCKERNAN, <i>Petitioner,</i> v. JOHN A. PALAKOVICH, et al., <i>Respondents.</i>	: : : : : : : :	CIVIL ACTION No. 06-2118
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ORDER

AND NOW, this 22nd day of October, 2014, upon consideration of the petition for writ of *habeas corpus* with supporting exhibits (paper no. 1); response to petition for writ of *habeas corpus* by respondents with supporting exhibits (paper no. 8); Report and Recommendation of Magistrate Judge Thomas J. Rueter regarding the petition of Paul McKernan (paper no. 14); petitioner's objections to magistrate judge's Report and Recommendation (paper no. 25); response to objections to Report and Recommendation by respondents (paper no. 18); petitioner's counseled amended objections to magistrate judge's Report and Recommendation with supporting exhibits (papers no. 38, 39, 40); response to amended objections to magistrate judge's Report and Recommendations (paper no. 43); letter regarding proposed amendments to petition (paper no. 48); the record of petitioner's case in state court and the evidence presented at the evidentiary hearing held by this court on November 24, 2008; letter regarding evidence of actual innocence from counsel for petitioner (paper no. 51); response to letter regarding evidence of actual innocence by respondents (paper no. 53); reply to response to letter regarding evidence of actual innocence by counsel for petitioner (paper no. 54); correspondence regarding recent decisions (papers no. 55, 56, 57, 58, 59, 60, 61, 62).

It is **ORDERED** that:

1. Petitioner Paul McKernan's Petition for Writ of *Habeas Corpus* is **DENIED** as to all claims.
2. In accordance with 28 U.S.C. § 2253, a certificate of appealability is **GRANTED**.

/s/ Norma L. Shapiro

J.