

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

<b>JOSE COLON,</b>	:	
<b>Petitioner,</b>	:	
	:	<b>CIVIL ACTION</b>
<b>v.</b>	:	<b>NO: 06-2263</b>
	:	
<b>DAVID DIGUGLIELMO, ET AL.,</b>	:	
<b>Respondent.</b>	:	

**ORDER**

**AND NOW**, this \_\_\_\_ day of May, 2007, upon careful and independent consideration of the petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254, after review of the Report and Recommendation of United States Magistrate Judge M. Faith Angell and *pro se* Petitioner’s Objections to the Report and Recommendation, **IT IS HEREBY ORDERED and DECREED** that:

1. The Report and Recommendation is **APPROVED and ADOPTED**.
2. The petition for a writ of habeas corpus is **DENIED and DISMISSED WITH PREJUDICE AS TIME-BARRED**.
3. There is no probable cause for the issuance of a certificate of appealability.
4. The Clerk of the Court shall mark the above-captioned case as **CLOSED**.

**BY THE COURT:**

\_\_\_\_\_  
/s/ **Petrese B. Tucker**

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**Honorable Petrese B. Tucker, U.S.D.J.**