

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

FRANKIE GERALD BURTON,
Petitioner,

v.

STEVEN R. GLUNT, et al.,
Respondents.

CIVIL ACTION
NO. 07-1359

ORDER

NOW, this 11th day of December 2013, upon consideration of the revised Petition for a Writ of Habeas Corpus (Doc. No. 15), Memorandum of Law in Support of the Petition, with accompanying exhibits (Doc. Nos. 25-26), Respondents' Response in Opposition (Doc. No. 38), Petitioner's Reply to the Response (Doc. No. 43), the Magistrate Judge's Report and Recommendation (Doc. No. 44), Petitioner's Objections to the Report and Recommendation (Doc. No. 47), and the relevant state court record, and in accordance with the Opinion of the Court issued this day, it is **ORDERED** as follows:

1. The Report and Recommendation of Magistrate Judge Rueter (Doc. No. 44) is **APPROVED** and **ADOPTED**;
2. Petitioner's revised Petition for a Writ of Habeas Corpus (Doc. No. 15) is **DENIED**;
3. Petitioner's request for discovery is **DENIED**;
4. Petitioner's request for an evidentiary hearing is **DENIED**;
5. A certificate of appealability will not be issued because, based on the analysis contained in Judge Rueter's Report and Recommendation, as approved and adopted by this Court, and based on the analysis contained in the Opinion of the Court, a reasonable jurist could not conclude that the Court is incorrect in denying and dismissing the habeas petition.

6. The Clerk of Court shall close the above-captioned case.

BY THE COURT:

/s/ Joel H. Slomsky
JOEL H. SLOMSKY, J.