

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

NOEL ECHEVARRIA	:	CIVIL ACTION
	:	
v.	:	NO. 08-1724
	:	
LOUIS S. FOLINO, et al.	:	

ORDER

AND NOW, this 4th day of November, 2009, upon consideration of the Petition for Writ of Habeas Corpus and the response thereto (Doc. Nos. 1 & 14), it is hereby **ORDERED** that for the reasons set forth above, the Petition is **DISMISSED with prejudice and without a hearing.**

IT IS FURTHER ORDERED that no certificate of appealability will be issued pursuant to 28 U.S.C. §2253 because petitioner has failed to make a substantial showing of denial of a constitutional right.

The Clerk of Court is hereby directed to mark this case closed.

S/ Lowell A. Reed, Jr. _____
LOWELL A. REED, JR., Sr. J.