

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

FRED WILSON	:	CIVIL ACTION
	:	
v.	:	
	:	
DAVID VARANO, et al.	:	NO. 08-4304

**ORDER**

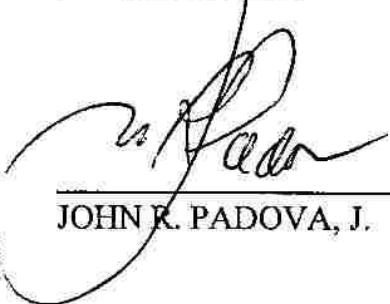
JOHN R. PADOVA, J.,

AND NOW, this 17<sup>th</sup> day of August, 2009,

upon careful and independent consideration of the petition for writ of habeas corpus, and after review of the Report and Recommendation of United States Magistrate Judge Elizabeth T. Hey, IT IS ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED.
2. The petition for a writ of habeas corpus is DISMISSED without prejudice.
3. There is no basis for the issuance of a certificate of appealability.

BY THE COURT:




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JOHN R. PADOVA, J.