

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

LARRY N. STROMBERG,

Petitioner,

v.

DAVID A. VARANO, et al.,

Respondents.

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CIVIL ACTION

NO. 09-401

ORDER

AND NOW, this 10th day of July 2012, after a careful and independent review of the Report and Recommendation (Doc. No. 37), Petitioner's Objections (Doc. No. 42), Respondent's response thereto (Doc. No. 43), and the entire record in this case, and for the reasons stated in the Opinion filed this day, it is hereby **ORDERED** as follows:

1. The Report and Recommendation is **APPROVED and ADOPTED**;
2. The Petition (Doc. No. 1) is **DENIED**;
3. Petitioner's Objections are **OVERRULED**; and
4. A Certificate of Appealability **SHALL NOT ISSUE**.

The Clerk of Court is directed to **CLOSE** this case.

It is so **ORDERED**.

BY THE COURT:

/s/ Cynthia M. Rufe

CYNTHIA M. RUFÉ, J.