

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

KURT JONES  
[FQ-7321]

CIVIL ACTION

v.

**FILED**

NOV 13 2009

MICHAEL E. KUNZ, Clerk  
By \_\_\_\_\_ Dep. Clerk

FRANKLIN TENNIS, et al.

NO. 09-760

ORDER

AND NOW, this 12 day of Nov, 2009, upon consideration

of the pleadings and the record herein, and after review of the Report and Recommendation of M. Faith Angell, and objections thereto United States Magistrate Judge, it is hereby **ORDERED** that:

1. The Report and Recommendation is **APPROVED AND ADOPTED**.
2. The Petition for Writ of Habeas Corpus, filed pursuant to 28 U.S.C. §2254, is **DENIED**

**AND DISMISSED WITHOUT AN EVIDENTIARY HEARING.**

There is no probable cause to issue a certificate of appealability.

BY THE COURT.



BERLE M. SCHILLER, J.