

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

DARRYL NEWKIRK

v.

SUPERINTENDENT RAYMOND  
LAWLER, ET AL.

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CIVIL ACTION

NO. 09-0763

**ORDER**

**AND NOW**, this 9th day of March, 2017, upon consideration of Petitioner's *pro se* Petition for Writ of Habeas Corpus (ECF No. 1), and all documents submitted in support thereof and in opposition thereto, it is **ORDERED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. The Petition for Writ of Habeas Corpus is **DENIED** without an evidentiary hearing;  
and
3. A certificate of appealability is **DENIED**.

**IT IS SO ORDERED.**

**BY THE COURT:**



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**R. BARCLAY SURRICK, J.**