

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

THOMAS MOORE	:	CIVIL ACTION
	:	
vs.	:	
	:	
FRANKLIN TENNIS, et al.	:	NO. 09-846

**ORDER**

**AND NOW**, this 2nd day of March, 2010, upon careful and independent consideration of the petition for writ of habeas corpus, and after review of the Report and Recommendation of Elizabeth T. Hey, United States Magistrate Judge, together with the objections filed by the Petitioner, it is hereby **ORDERED** that:

1. The objections to the Report and Recommendation are **DENIED**.
2. The Report and Recommendation is **APPROVED** and **ADOPTED**.
3. The petition for a writ for habeas corpus is **DENIED**.
4. There is **no** probable cause to issue a certificate of appealability.

BY THE COURT:

/s/ Robert F. Kelly  
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ROBERT F. KELLY  
SENIOR JUDGE.