

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

BOOKER LEAN CARTER,
Petitioner,

v.

COMMONWEALTH
OF PENNSYLVANIA, et al.,
Respondents.

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CIVIL ACTION

NO. 09-4588

FILED

MAR 17 2010

ORDER

LAWRENCE F. STENGEL, J.

MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

AND NOW, this 17th 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 United States Magistrate Judge Linda K. Caracappa, IT IS ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED.
2. The petition for Writ of *Habeas Corpus* is DENIED with prejudice.
3. There is no probable cause to issue a certificate of appealability.
4. The Clerk of Court shall mark this case closed for statistical purposes.

BY THE COURT:


LAWRENCE F. STENGEL, J.