

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

JEROME GIBSON : CIVIL ACTION
 :
v. :
 :
JEFFREY BEARD, et al. : NO. 10-445

ORDER

AND NOW, this 29th day of February, 2016, upon consideration of petitioner Jerome Gibson's habeas petition (docket entry # 1), the Report and Recommendation of the Honorable Carol Sandra Moore Wells (docket entry #76), and petitioner's objections to the Report and Recommendation (docket entry #82), and for the reasons set forth in the accompanying Memorandum, it is hereby ORDERED that:

1. Petitioner's objections are OVERRULED;
2. Judge Wells's Report and Recommendation is APPROVED and ADOPTED;
3. Petitioner's habeas petition (docket entry #1) is DISMISSED WITH PREJUDICE and without an evidentiary hearing;
4. Because reasonable jurists could not debate whether the petition states a valid claim for a denial of a constitutional right, Slack v. McDaniel, 529 U.S. 473, 484 (2000), we DECLINE to issue a certificate of appealability; and
5. The Clerk of Court shall CLOSE this case statistically.

BY THE COURT:

/s/ Stewart Dalzell, J.
Stewart Dalzell, J.