

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

JOSE COLON	:	
Plaintiff,	:	
	:	CIVIL ACTION
v.	:	
JOHN KERESTES, ET AL.,	:	NO. 10-1398
Defendants.	:	

ORDER

AND NOW, this _____ day of May, 2012, upon careful and independent consideration of the petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254, after review of the Report and Recommendation of United States Magistrate Judge Faith Angell and Petitioner's objections,

IT IS HEREBY ORDERED and DECREED 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.
3. There is no probable cause to issue a certificate of appealability.
4. The Clerk of Court shall mark the case **CLOSED** for statistical purposes.

BY THE COURT:

/S/ **Petrese B. Tucker**

Hon. Petrese B. Tucker, U.S.D.J.