

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

ANDRE WILSON	:	CIVIL ACTION
	:	
Petitioner,	:	
	:	
v.	:	NO. 10-1884
	:	
TERERSER A. BANKS and THE ATTORNEY	:	
GENERAL OF THE STATE OF	:	
PENNSYLVANIA,	:	
Respondents.	:	

FILED

JUL 14 2011

MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

ORDER

AND NOW, this 14th day of July, 2011, upon consideration of the Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 and supporting documents filed by Andre Wilson (Document No. 1), the Response to the Petition (Document No. 21), Petitioner’s Amended Supplemental Memorandum (Document No. 30), Respondents’ Supplemental Memorandum Addressing Recent Authority (Document No. 31), petitioner’s Request for an [sic] Federal Evidentiary Hearing under §2254(e) (Document No. 29), and the Response to Petitioner’s Request for Evidentiary Hearing (Document No. 32), and after review of the Amended Report and Recommendation of United States Magistrate Judge Henry S. Perkin dated June 17, 2011, Petitioner’s Objections to the Amended Report and Recommendation, and the record in this case, **IT IS ORDERED** as follows:


1. The Amended Report and Recommendation of United States Magistrate Judge Henry S. Perkin dated June 17, 2011, is **APPROVED** and **ADOPTED**;
2. Petitioner’s Objections to the Amended Report and Recommendation are **OVERRULED**. The issues raised in the Objections were covered in the Report and Recommendation which the Court has approved and adopted;

3. The Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 filed by Andre Wilson is **DENIED**;

4. Petitioner's request for an evidentiary hearing is **DENIED**; and,

6. A certificate of appealability will not issue because reasonable jurists would not debate whether the petition states a valid claim of the denial of a constitutional right or this Court's procedural rulings with respect to petitioner's claims. See 28 U.S.C. § 2253(c)(2); Slack v. McDaniel, 529 U.S. 473, 484 (2000).

BY THE COURT:



JAN E. DUBOIS, J.