

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

CRAIG B. WALKER,	:	
	:	CIVIL ACTION
Petitioner,	:	
	:	NO. 10-2009
v.	:	
	:	
JOHN KERESTES,	:	
	:	
Respondent.	:	

**ORDER**

**AND NOW**, this 30th day of March 2011, upon consideration of the Petition for Writ of Habeas Corpus (Doc. No. 1), Respondent’s Response to Petition for Writ of Habeas Corpus (Doc. No. 14), Magistrate Judge Rapoport’s Report and Recommendation (Doc. No. 15), Petitioners Objections to Proposed Findings of Fact and Recommendation (Doc. No. 16), and Respondent’s Memorandum of Law in Response to Objections (Doc. No. 17), it is **ORDERED** as follows:

1. The Report and Recommendation is not approved and the case is **RECOMMITTED** to the Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(C) for reconsideration consistent with the Opinion of this Court dated March 30, 2011.
2. Petitioner’s Motion for Discovery (Doc. No. 11) is **DENIED** as moot.

BY THE COURT:

*Joel Slomsky*  
 JOEL H. SLOMSKY, J.