

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

WILLIAM MIKELL, : CIVIL ACTION
: NO. 10-7095
Petitioner, :
: v.
: DAVID A. VARANO, et al., :
: Respondents. :
:

ORDER

AND NOW, this 28th day of February, 2011, upon consideration of the Petition for Writ of Habeas Corpus filed pursuant to 28 U.S.C. § 2254; the Report and Recommendation of U.S. Magistrate Judge L. Felipe Restrepo, and Petitioner's Objections thereto, it is hereby ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED.
2. The Petition for Writ of Habeas Corpus is DISMISSED as time-barred.
3. A certificate of appealability should not issue because Petitioner has failed to show that a reasonable jurist could conclude that the Court is incorrect in dismissing the Petition as time-barred.
4. The Clerk of Court shall close this case for all purposes, including statistics.

BY THE COURT:

/s/ C. Darnell Jones II

C. DARNELL JONES II, U.S.D.J.