

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

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|----------------------|---|--------------|
| DAVID ERIC ALLEN | : | CIVIL ACTION |
| | : | |
| v. | : | |
| | : | |
| JEROME WALSH, et al. | : | NO. 11-4021 |

ORDER

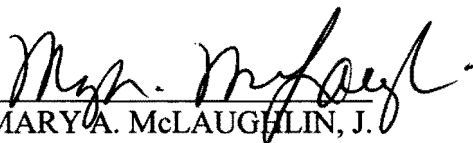
MARY A. McLAUGHLIN, J.

AND NOW, this 11th day of October, 2011, upon careful and independent consideration of the petition for writ of habeas corpus, and after review of the Report and Recommendation of the United States Magistrate Judge Jacob P. Hart, it is

ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED;
2. The petition for writ of habeas corpus is DISMISSED WITHOUT PREJUDICE PENDING EXHAUSTION OF STATE CLAIMS.
3. There is no basis for the issuance of a certificate of appealability.

BY THE COURT:



 MARY A. McLAUGHLIN, J.