

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

RALPH BIRDSONG,

Petitioner,

v.

JOHN E. WETZEL, et al,

Respondents.

CIVIL ACTION
NO. 11-4240

ORDER

AND NOW, this 23rd day of March, 2022, upon careful and independent consideration of the parties' pleadings and briefs and the state court record, and after review of the Report and Recommendation of the Honorable David R. Strawbridge, as well as Petitioner's counseled objections thereto, it is hereby **ORDERED** as follows:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. The Petition for Writ of Habeas Corpus is **DISMISSED**;
3. A certificate of appealability shall not issue, as Petitioner has not made a substantial showing of the denial of a constitutional right; and
4. The Clerk of the Court shall **CLOSE** this case.

BY THE COURT:

/s/ Jeffrey L. Schmehl

Jeffrey L. Schmehl, J.