

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

REGINALD REAVES	:	CIVIL ACTION
	:	
vs.	:	
	:	
COMMONWEALTH OF	:	
PENNSYLVANIA, <u>ET AL.</u>	:	NO. 11cv5205

ORDER

AND NOW, this 22 day of March, 2012, upon careful and independent consideration of the Petition for a Writ of Habeas Corpus filed pursuant to 28 U.S.C. § 2254, and after review of the Report and Recommendation of United States Magistrate Judge Jacob P. Hart, and consideration of petitioner's objections to the Report and Recommendation, **IT IS HEREBY ORDERED** that:

1. Petitioner's objections are **OVERRULED**.

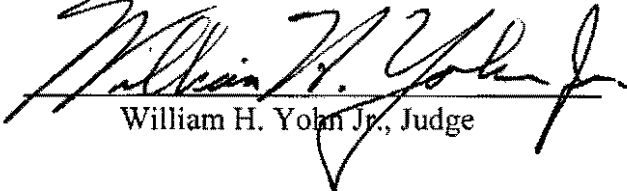
2. The Report and Recommendation of Magistrate Judge Jacob P. Hart is **APPROVED** and **ADOPTED**.

3. The petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254 is **DISMISSED** without prejudice to the right of the petitioner to apply to the U.S. Court of Appeals for the Third Circuit for an order authorizing this court to consider a second or successive petition for writ of habeas corpus.<sup>1</sup> See 28 U.S.C. § 2244(b)(3)(A).

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<sup>1</sup>Magistrate Judge Hart correctly recommended that the court dismiss the petition for writ of habeas corpus because it is a second or successive petition and the petitioner has not obtained the necessary consent from the U.S. Court of Appeals for the Third Circuit for the filing of a second or successive petition. To the extent that the court can read the petitioner's largely unintelligible objections, it finds that the petitioner has not responded or objected in any way to that recommendation. The court concludes that the recommendation of the magistrate judge is correct, but dismisses the petition without prejudice so that he can seek approval from the Court of Appeals for an order authorizing this court to consider his petition on the merits.

4. The clerk shall mark this case **CLOSED FOR STATISTICAL PURPOSES**.



William H. Yohn Jr., Judge