

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

EUGENE MCCLURE : CIVIL ACTION
: :
v. : No. 13-60
: :
JOHN KERESTES, et al. :

ORDER

AND NOW, this 1st day of March, 2016, upon careful and independent consideration of Petitioner Eugene McClure's pro se Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254, and upon de novo review of the Report and Recommendation of United States Magistrate Judge Timothy R. Rice and McClure's objections thereto, and for the reasons set forth in the accompanying Memorandum, it is ORDERED:

1. McClure's objections to the Report and Recommendation (Document 4) are OVERRULED;
2. The Report and Recommendation (Document 3) is APPROVED and ADOPTED;
3. McClure's petition for writ of habeas corpus (Document 1) is DENIED with prejudice;
4. There has been no substantial showing of the denial of a constitutional right warranting the issuance of a certificate of appealability; and
5. The Clerk of Court is DIRECTED to mark this case CLOSED.

BY THE COURT:

/s/ Juan R. Sánchez
Juan R. Sánchez, J.