

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

MANUEL M. CABRAL, III	:	CIVIL ACTION
	:	
Petitioner,	:	NO. 13-1384
	:	
v.	:	
	:	
MICHEL WENEROWICZ, ET AL.	:	
	:	
Respondents.	:	

ORDER

AND NOW, this 27th day of February, 2014, upon careful and independent consideration of the Petition for Writ of Habeas Corpus (Dkt. No. 1), the Response thereto (Dkt. No. 14), and after review of the Report and Recommendation of United States Magistrate Judge Jacob P. Hart dated October 3, 2013 (Dkt. No. 15), and Petitioner's Objections thereto (Dkt. No. 16), IT IS HEREBY ORDERED that:

1. Petitioner's Objections are OVERRULED and the Report and Recommendation is APPROVED and ADOPTED.¹

¹Petitioner objects to the Magistrate Judge's recommendation that the Petitioner is not entitled to "double credit" for time spent in detention between March 25, 2000 and January 29, 2002. The reasoning offered by Magistrate Judge Hart for dismissing the instant petition is sound. As Magistrate Judge Hart detailed, Plaintiff was sentenced in several cases in state court: case #CP 003017/2000 [Bucks Cty.] (delivery of a controlled substance); case # CP 3094/2000[Bucks Cty.] (delivery of a controlled substance); case # CP 2652/2000 [Bucks. Cty.] (possession of a controlled substance); case # CP 2646/1999 [Mont. Cty.] (burglary); case # CP 1658/1999 [Mont. Cty.] (burglary); case # CP 0556/2000 [Mont. Cty.] (rape); case # CP 0556.4/2000 [Mont. Cty.] (corruption of minors); case # CP 0556.9/2000 [Mont. Cty.] (criminal solicitation and rape); case # CP 0556.8/2000 [Mont. Cty.] (corruption of minors); and case # CP 0556.7/2000 [Mont. Cty.] (indecent assault). As Magistrate Judge Hart addressed, credit was applied for time served between March 25, 2000 to August 8, 2000 to the Bucks County sentence for delivery of a controlled substance-- case # CP 003017/2000. Furthermore, because as of August 8, 2000 Petitioner was serving sentences for drug-related offenses for Bucks County Cases 003017/2000, 3094/2000 and 2652/2000, and, as of March 22, 2001 the Montgomery County burglary-related convictions in cases 2646/1999, 2646.4/1999 and 1658/1999, he is not

2. The Petition for Writ of Habeas Corpus is DISMISSED.
3. There is no basis for the issuance of a certificate of appealability.

BY THE COURT:

/s C. Darnell Jones, II

C. DARNELL JONES, II J.

entitled to credit on his Montgomery County sexual assault-related cases during that time period. Upon review of the Report and Recommendation, together with de novo review of this matter, I conclude that the Report and Recommendation correctly determines the legal and factual issues raised by petitioner. Accordingly, I approve and adopt Magistrate Judge Hart's Report and Recommendation and overrule Petitioner's objection to the Report and Recommendation.