

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

MALIK JONES :
 :
 Petitioner, :
 :
 v. :
 :
 JOHN KERESTES, et al. :
 Respondents. :
 :

CIVIL ACTION NO. 13-1494

FILED
MICH...
By _____ Dep. Clerk

ORDER

AND NOW, this 12th day of May 2014, upon careful and independent consideration of the petition for a writ of *habeas corpus*, and after review of the Report and Recommendation (“R&R”),¹ it is hereby **ORDERED** that:

1. The Clerk is directed to remove the case from Civil Suspense and restore it to the active docket for final disposition.
2. The Report and Recommendation is **APPROVED and ADOPTED**.
3. The petition is **DENIED** as untimely.
4. There is no basis for the issuance of a certificate of appealability.
5. The Clerk is directed to **CLOSE** the case.

It is so **ORDERED**.

BY THE COURT:

CYNTHIA M. RUFÉ, J.

¹ No objections to the R&R were filed, and according to the docket the Report and Recommendation and the Notice setting the time for objections were returned by the United States Postal Service because the Petitioner is no longer at the Mahanoy Institution. It is Petitioner’s obligation to notify the Court of any change in address.