

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

KEITH MOYE,
Petitioner,

v.

MICHAEL WENEROWICZ, et al.
Respondents.

MOYE v. WENEROWICZ et al

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CIVIL CASE
NO. 13-4011

FILED
JAN 10 2014
MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

Doc. 12

ORDER

AND NOW, this 9th day of January 2014, upon consideration of the Petition for Writ of Habeas Corpus, the Commonwealth's response, inclusive of all exhibits thereto, the other documents filed by the parties, and after review of the Report and Recommendation of Chief United States Magistrate Judge Carol Sandra Moore Wells, to which no objection has been made, it is hereby **ORDERED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. The Petition for a Writ of Habeas Corpus is **DISMISSED**, without prejudice, for failure to exhaust state court remedies;
3. Petitioner has neither shown a denial of a federal constitutional right, nor established that reasonable jurists would disagree with this court's disposition of his claims on procedural grounds. Consequently, a certificate of appealability is **DENIED**; and
4. The Clerk of the Court is **DIRECTED** to **CLOSE** this case.

IT IS SO ORDERED.

BY THE COURT:


CYNTHIA M. RUFÉ, J.