

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

TYRONE MCDANIELS,
Petitioner,

CIVIL ACTION

v.

BRIANE COLEMAN, THE DISTRICT
ATTORNEY OF THE COUNTY OF
PHILADELPHIA, and THE ATTORNEY
GENERAL OF THE STATE OF
PENNSYLVANIA,
Respondents.

NO. 14-3942

ORDER

AND NOW, this 2nd day of March, 2016, upon careful and independent consideration of Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Court filed by *pro se* petitioner, Tyrone McDaniels, the record in this case, *pro se* petitioner's Motion for Stay and Abeyance of Writ of Habeas Corpus Petition, and the Report and Recommendation of United States Magistrate Judge Richard A. Lloret dated December 29, 2015, no objections having been filed, **IT IS ORDERED** as follows:

1. The Report and Recommendation of United States Magistrate Judge Richard A. Lloret dated December 29, 2015, is **APPROVED** and **ADOPTED**;
2. *Pro se* petitioner's Motion for Stay and Abeyance of Writ of Habeas Corpus Petition is **DENIED**;
3. The Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 filed by *pro se* petitioner, Tyrone McDaniels, is **DENIED** and **DISMISSED**;
4. A certificate of appealability will not issue because reasonable jurists would not debate (a) this Court's decision that the petition does not state a valid claim of the denial of a

constitutional right, or (b) the propriety of this Court's procedural rulings with respect to petitioner's claims. *See* 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

BY THE COURT:

/s/ Hon. Jan E. DuBois

DuBOIS, JAN E., J.