

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

<b>ELI DAVIS</b>	:	<b>CIVIL ACTION</b>
<i>Petitioner</i>	:	
	:	<b>NO. 14-4160</b>
<b>v.</b>	:	
	:	
<b>JOHN E. WETZEL, et al.</b>	:	
<i>Respondents</i>	:	

**ORDER**

AND NOW, this 20<sup>th</sup> day of January 2017, upon consideration of the counseled Petition for Writ of *Habeas Corpus* filed on behalf of Petitioner Eli Davis (“Petitioner”), [ECF 1], the Response to the Petition, [ECF 8], the state court record, the *Report and Recommendation* submitted by United States Magistrate Judge Marilyn Heffley (“the Magistrate Judge”), [ECF 11], and Petitioner’s objections thereto, [ECF 13], it is hereby **ORDERED**, consistent with the accompanying Memorandum Opinion filed on this day, that:

1. Petitioner’s objections are **OVERRULED**.
2. The *Report and Recommendation* is **APPROVED** and **ADOPTED**.
3. Petitioner’s petition for a writ of *habeas corpus* is **DENIED**.
4. There is no probable cause to issue a certificate of appealability.

The Clerk of Court is directed to **CLOSE** this matter.

**BY THE COURT:**

/s/ Nitza I. Quiñones Alejandro  
**NITZA I. QUIÑONES ALEJANDRO**  
*Judge, United States District Court*