

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

EARL ANDREWS,	:	
Petitioner,	:	
	:	
v.	:	CIVIL ACTION NO. 14-5538
	:	
	:	
TREVOR WINGARD, <i>et al.</i> ,	:	
Respondents.	:	

ORDER

AND NOW, this 18th day of April 2017, upon careful and independent consideration of the Petition for Writ of Habeas Corpus, and all related filings, and upon review of the Report and Recommendation of United States Magistrate Henry S. Perkin [Doc. No. 16] and the objections thereto, it is hereby **ORDERED** that:

1. The Clerk is directed to **REMOVE** the case from Civil Suspense and return it to the active docket;
2. The Objections are **OVERRULED**;
3. The Report and Recommendation is **APPROVED** and **ADOPTED in part**, as set forth in the accompanying opinion;
4. The Petition for Writ of Habeas Corpus is **DISMISSED WITH PREJUDICE** and without an evidentiary hearing;
5. There is no probable cause to issue a certificate of appealability; and
6. The Clerk of Court is directed to **CLOSE** the case.

It is so **ORDERED**.

BY THE COURT:

/s/ Cynthia M. Rufe

CYNTHIA M. RUFÉ, J.