

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

LYDELL SWINSON : CIVIL ACTION
:
v. : NO. 14-7027
:
KERESTES, THE DISTRICT :
ATTORNEY OF THE COUNTY OF :
PHILADELPHIA and THE ATTORNEY :
GENERAL OF THE STATE OF :
PENNSYLVANIA :
:

ORDER

AND NOW, this 1st day of April, 2015, upon consideration of the Petition for Writ of Habeas Corpus (Document No. 1), the Report and Recommendation filed by United States Magistrate Judge David R. Strawbridge (Document No. 9) and no objections to the Report and Recommendation having been filed, and after a thorough and independent review of the record, it is ORDERED that:

1. The Report and Recommendation of Magistrate Judge Strawbridge is

APPROVED and ADOPTED;

2. The Petition for Writ of Habeas Corpus is **DISMISSED**; and,

3. Petitioner having failed to demonstrate that a reasonable jurist would debate

the correctness of this procedural ruling, a certificate of appealability shall not issue.

/s/Timothy J. Savage

TIMOTHY J. SAVAGE, J.