

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

NATHANIEL RILEY, : CIVIL ACTION
 : NO. 15-351
 Petitioner, :
 :
 v. :
 :
 ROBERT GILMORE, et al., :
 :
 Respondents. :
 :

O R D E R

AND NOW, this **19th** day of **September, 2016**, after review of the Report and Recommendation of United States Magistrate Judge Linda K. Caracappa (ECF No. 16) and Petitioner's objections thereto (ECF No. 21), and for the reasons set forth in the accompanying memorandum, the following is hereby **ORDERED**:

- (1) The Report and Recommendation is **APPROVED** and **ADOPTED** in part;
- (2) Petitioner's Objections to the Report and Recommendation are **OVERRULED**;
- (3) The Petition for a Writ of Habeas Corpus (ECF No. 1) is **DENIED** and **DISMISSED WITH PREJUDICE**;
- (4) A certificate of appealability shall not issue;
- (5) Petitioner's Motion for Default Judgment (ECF No. 15) is **DENIED**; and

(6) The Clerk shall mark this case **CLOSED**.

AND IT IS SO ORDERED.

/s/ Eduardo C. Robreno
EDUARDO C. ROBRENO, J.