DAY v. MAHALLY et al Doc. 21

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

ANTHONY DAY,	:	
Petitioner,	:	
	:	
v.	:	**CIVIL ACTION NO. 15-0863**
	:	
LARRY MAHALLY, *et al.*,	:	
Respondents.	:	
	:	

ORDER

AND NOW, this 2nd day of February 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 Judge Linda K. Caracappa and the objections thereto, it is hereby **ORDERED** that:

1. The Objections are **OVERRULED**;
2. The Report and Recommendation is **APPROVED** and **ADOPTED**;
3. The Petition for Writ of Habeas Corpus is **DISMISSED WITH PREJUDICE** and without an evidentiary hearing;
4. There is no probable cause to issue a certificate of appealability; and
5. The Clerk is directed to **CLOSE** the case.

It is so **ORDERED**.

BY THE COURT:

/s/ Cynthia M. Rufe

CYNTHIA M. RUFE, J.

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