

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

<b>BRAHEEM BIVENS</b>	:	<b>CIVIL ACTION</b>
	:	
v.	:	<b>NO. 15-4851</b>
	:	
<b>JOHN WETZEL, MICHAEL WENEROWICZ and THE ATTORNEY GENERAL OF STATE OF PENNSYLVANIA</b>	:	
	:	

**ORDER**

**AND NOW**, this 11th day of January, 2016, upon consideration of the Petition for Writ of Habeas Corpus (Document No. 1), the Response to the Petition for Writ of Habeas Corpus (Document No. 9), the Report and Recommendation filed by United States Magistrate Judge Thomas J. Rueter (Document 10) filed on December 15, 2015, 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 Thomas J. Rueter is **APPROVED** and **ADOPTED**;
2. The Petition for Writ of Habeas Corpus is **DISMISSED**; and,
3. There is no probable cause to issue a certificate of appealability.

/s/Timothy J. Savage  
 TIMOTHY J. SAVAGE, J.