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

KEVIN PATRICK SULLIVAN,	:	CIVIL ACTION
Petitioner,	:	
	:	
v.	:	
	:	
KEVIN KUFFMAN, et al.,	:	
Respondents.	:	No. 15-5937

<u>O R D E R</u>

AND NOW, this <u>10th</u> day of July, 2017, having considered the Petition for Writ of

Habeas Corpus filed by Petitioner Kevin Patrick Sullivan (Docket No. 1), the accompanying

Memorandum (Docket No. 23), the Government's Response thereto (Docket No. 24), Mr.

Sullivan's Reply (Docket No. 29), U.S. Magistrate Judge Carol Sandra Moore Wells's Report &

Recommendations (Docket No. 30), Petitioner's objections thereto (Docket No. 36), and

Petitioner's state court record, it is hereby **ORDERED** that:

- 1. The Report & Recommendations are **APPROVED** and **ADOPTED**.¹
- The Petition for Writ of Habeas Corpus is **DISMISSED** with prejudice without an evidentiary hearing.
- 3. There is no probable cause to issue a certificate of appealability.²

¹ In his objections, Mr. Sullivan primarily reiterates arguments found in his petition, memorandum, and reply, and repeatedly asks the Court to reexamine the record, sometimes without specifying what in the record would support his argument. However, as U.S. Magistrate Judge Wells correctly concluded in her thorough and well-reasoned Report and Recommendations, Mr. Sullivan's claims are either not cognizable or lack merit.

² A certificate of appealability may issue only upon "a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2). A petitioner must "demonstrate that reasonable jurists would find the district court's assessment of the constitutional claims debatable or wrong." *Slack v. McDaniel*, 529 U.S. 473, 484 (2000); *Lambert v. Blackwell*, 387 F.3d 210, 230 (3d Cir. 2004). The Court agrees with U.S. Magistrate Judge Wells that there is no probable cause to issue such a certificate in this action.

The Clerk of Court shall mark this case CLOSED for all purposes, including statistics.

BY THE COURT:

/s/ Gene E.K. Pratter GENE E.K. PRATTER UNITED STATES DISTRICT JUDGE