

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

RONALD GOODE, Petitioner,	:	CIVIL ACTION
	:	
v.	:	No. 15-6212
	:	
MICHAEL M. BAYLSON, <u>ET AL.</u> , Respondents.	:	
	:	
	:	

ORDER

AND NOW, this 4th day of April, 2016, upon careful and independent consideration of the petition for a writ of habeas corpus and after review of the Report and Recommendation of United States Magistrate Judge Thomas J. Rueter, it is hereby **ORDERED** that:

1. Petitioner’s objections are **OVERRULED**.¹
2. The Report and Recommended is **APPROVED** and **ADOPTED**.
3. The Petition for Writ of Habeas Corpus is **DISMISSED** without prejudice;
4. A certificate of appealability **SHALL NOT** issue, in that Petitioner has not demonstrated that a reasonable jurist would debate the correctness of this ruling. See 28 U.S.C. § 2253(c)(2); Slack v. McDaniel, 529 U.S. 473, 484 (2000); and
5. The Clerk of the Court shall mark this case **CLOSED** for statistical purposes.

¹ In his habeas petition, Petitioner requests a “due process hearing” on a supervised release violation petition currently pending before the Judge Michael M. Baylson. In his objections, Petitioner simply restates the arguments raised in his habeas petition. Judge Reuter correctly determined that the habeas petition should be dismissed because Petitioner filed a motion in the criminal case before Judge Baylson requesting the same relief he seeks through his habeas petition. Accordingly, Petitioner’s objections are overruled.

BY THE COURT:

/s/ Mitchell S. Goldberg

MITCHELL S. GOLDBERG, J.