

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

ARTHUR JOHNSON,  
Petitioner,

CIVIL ACTION

v.

MARK CAPOZZA,<sup>1</sup> et al.,  
Respondents.

FILED  
MAY 30 2018  
KATE BARKMAN, Clerk  
By \_\_\_\_\_ Dep. Clerk

NO. 16-cv-4661

ORDER

AND NOW, this 30 day of MAY, 2018, upon careful and independent consideration of the petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254, and after review of the Report and Recommendation of United States Magistrate Judge Lynne A. Sitarski, <sup>and objections thereto,</sup> IT IS ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED.
2. The petition for a writ for habeas corpus filed pursuant to 28 U.S.C. § 2254 is DENIED.
3. There is no basis for the issuance of a certificate of appealability.

BY THE COURT:  
  
BERLE M. SCHILLER, J.

<sup>1</sup> I have substituted Mark Capozza, who is the current Superintendent of SCI Fayette, as the respondent in this case. See Rules Governing Section 2254 Cases, Rule 2 (requiring the current custodian to be named as respondent).