

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

_____	:	
RAFIYQ DAVIS,	:	CIVIL ACTION
	:	
Petitioner,	:	NO. 17-0846
v.	:	
	:	
PENNSYLVANIA DEPARTMENT OF	:	
CORRECTIONS, et al.,	:	
Respondents.	:	
_____	:	

**FILED**  
**JAN -9 2018**  
 KATE BARKMAN, Clerk  
 By \_\_\_\_\_ Dep. Clerk

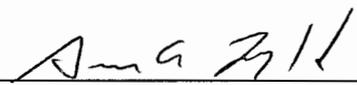
**ORDER**

AND NOW, this *9<sup>th</sup>* day of *JANUARY*, 2018, upon consideration of the Petition for Writ of Habeas Corpus (Dkt. Nos. 4, 6), the Answer to the Petition (Dkt. No. 10), and after review of the Report and Recommendation of United States Magistrate Judge Henry S. Perkin dated December 13, 2017,

**IT IS HEREBY ORDERED** that:

1. the Report and Recommendation is **APPROVED** and **ADOPTED**;
2. the Petition for Writ of Habeas Corpus (Docket No. 3) is **DENIED** without prejudice and **DISMISSED** without an evidentiary hearing; and
3. there is no probable cause to issue a certificate of appealability.

BY THE COURT:

  
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 GERALD A. McHUGH, J.