

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

LENWOOD MASON,
Petitioner,

v.

JOHN WETZEL, et al.,
Respondent.

CIVIL ACTION

NO. 17-3759

ORDER

AND NOW, this 20th day of August, 2021, upon consideration of Petitioner Lenwood Mason's Petition for a Writ of Habeas Corpus (ECF No. 1), his briefing in support thereof (ECF Nos. 42 & 52), and the District Attorney's Office of Philadelphia County's response thereto (ECF No. 46), and after review and full consideration of the Report and Recommendation of United States Magistrate Judge Carol Sandra Moore Wells (ECF No. 68) and Petitioner's Objections to same (ECF No. 70), **IT IS ORDERED** that:

1. The Report and Recommendation is **APPROVED AND ADOPTED IN PART** and **MODIFIED IN PART**, for reasons stated in the attached Memorandum;
2. The Petition for a Writ of Habeas Corpus is **DENIED** without an evidentiary hearing; and
3. Petitioner has neither shown denial of a federal constitutional right nor established that reasonable jurists would disagree with this court's procedural disposition of his claims. Consequently, a certificate of appealability is **DENIED**.

BY THE COURT:

/s/ **Wendy Beetlestone, J.**

WENDY BEETLESTONE, J.