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

HECTOR MANUEL SOTO, JR., **Petitioner,** **v.** **KEN CAMERON,** **THE DISTRICT ATTORNEY OF THE COUNTY OF BERKS, and** **THE ATTORNEY GENERAL OF THE STATE OF PENNSYLVANIA,** **Respondents.**	**CIVIL ACTION** **NO. 14-1331**

O R D E R

AND NOW, this 3rd day of December, 2015, upon consideration of Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody filed by petitioner, Hector Manuel Soto, Jr., the record in this case, the Report and Recommendation of United States Magistrate Judge Elizabeth T. Hey dated February 11, 2015, the Objections to the Report and Recommendation filed by petitioner's counsel (Document No. 10, filed February 17, 2015), the Supplemental Report and Recommendation of United States Magistrate Judge Elizabeth T. Hey dated July 15, 2015, the Objections to the Supplemental Report and Recommendation filed by petitioner (Document No. 22, filed October 7, 2015), and the Objections to the Supplemental Report and Recommendation filed by petitioner's counsel (Document No. 25, filed November 17, 2015), **IT IS ORDERED** as follows:

1. The Report and Recommendation of United States Magistrate Judge Elizabeth T. Hey dated February 11, 2015, recommending dismissal of the petition on timeliness grounds, is **REJECTED**;

2. Petitioner's counseled Objections to the February 11, 2015, Report and Recommendation are **OVERRULED** as **MOOT**;

3. The Supplemental Report and Recommendation of United States Magistrate Judge Elizabeth T. Hey dated July 15, 2015, recommending denial of the petition on the merits, is **APPROVED** and **ADOPTED**;

4. The Objections to the Supplemental Report and Recommendation submitted by petitioner and the Objections to the Supplemental Report and Recommendation submitted by petitioner's counsel are **OVERRULED** on the ground that the issues raised in both sets of Objections relating to ineffective assistance of counsel and alleged violation of petitioner's Sixth Amendment Confrontation Clause rights were addressed in the Supplemental Report and Recommendation with which the Court agrees;

5. The Petition Under § 2254 for Writ of Habeas Corpus by a Person in State Custody filed by petition, Hector Manuel Soto, Jr., is **DENIED** for the reasons set forth in the Supplemental Report and Recommendation; and,

6. A certificate of appealability will not issue because petitioner has not made a substantial showing of the denial of a constitutional right. *See* 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

BY THE COURT:

/s/ Hon. Jan E. DuBois

DuBOIS, JAN E., J.