WHITE v. THE DISTRICT ATTORNEY OF THE COUNTY OF LANCASTER et al Doc. 11

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

EDWARD WHITE, Plaintiff, v. THE DISTRICT ATTORNEY OF THE COUNTY OF LANCASTER and THE ATTORNEY GENERAL OF THE STATE OF PA, Defendants.	:	No. 5:16-cv-03895

O R D E R

On November 7, 2016, the undersigned referred Edward White's petition for a writ of habeas corpus to United States Magistrate Judge Richard A. Lloret for a report and recommendation. On April 13, 2017, Magistrate Judge Lloret issued a report and recommendation that White's petition be dismissed with prejudice as untimely. Thirty-two days have passed, and no objections have been filed.[1]

This 15th day of May, 2017, having reviewed the report and recommendation,[2] it is **ORDERED** as follows:

1. The Report and Recommendation, ECF No. 9, is **ADOPTED**.
2. White's petition for a writ of habeas corpus is **DISMISSED** with prejudice.
3. The Clerk of Court shall close this case.

BY THE COURT:

/s/ Joseph F. Leeson, Jr.
JOSEPH F. LEESON, JR.
United States District Judge

[1] *See* 28 U.S.C. § 636(b)(1) (providing that a party who wishes to object to a magistrate judge's report and recommendation must file written objections within "fourteen days after being served with a copy"); Fed. R. Civ. P. 5(b)(2) (providing that when service is made by mail, service is complete upon mailing); Fed. R. Civ. P. 6(d) (providing that when a party must act within a specified time after being served and service is made by mail, three days are added to the deadline).

[2] *See Henderson v. Carlson*, 812 F.2d 874, 878 (3d Cir. 1987) ("While [§ 636] may not require, in the absence of objections, the district court to review the magistrate's report before accepting it, we believe that the better practice is for the district judge to afford some level of review to dispositive legal issues raised by the report." (citation omitted)).

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