

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

<b>LOVELLE KINON WEAVER,</b>	:	
	:	
<b>Petitioner,</b>	:	<b>CIVIL ACTION</b>
	:	
<b>v.</b>	:	<b>NO. 16-4811</b>
	:	
<b>U.S. DISTRICT COURT, EASTERN DISTRICT OF PENNSYLVANIA, et al.,</b>	:	
	:	
<b>Respondents.</b>	:	

**ORDER**

**AND NOW**, this 5th day of April, 2017, upon careful and independent consideration of the Petition for Writ of Habeas Corpus (Doc. 1), Respondents' Response in Opposition thereto (Doc. 5), the Report and Recommendation of United States Magistrate Judge Carol Sandra Moore Wells (Doc. 7), and Petitioner's Objections to the Report and Recommendation (Doc. 8), **IT IS HEREBY ORDERED AND DECREED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. The Petition for Habeas Corpus is **DENIED WITHOUT PREJUDICE** to allow Petitioner to exhaust his state court remedies before returning to federal court; and
3. There is no basis for the issuance of a certificate of appealability.

**BY THE COURT:**

/s/ **Petrese B. Tucker**

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**Hon. Petrese B. Tucker, C.J.**