

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

SHAUN PATRICK AUSTIN, : **CIVIL ACTION**
Petitioner, :
v. :
: NO. 17-cv-981

SUPERINTENDENT FERGUSON, et al., :
Respondents. :
181-38360

ORDER

This 10th day of January, 2018, upon careful and independent consideration of the petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254, and after review of the Report and Recommendation of United States Magistrate Judge Lynne A. Sitarski, and Petitioner's objections, it is hereby ORDERED that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**.
2. The petition for a writ for habeas corpus filed pursuant to 28 U.S.C. § 2254 is **DENIED**.
3. There is no basis for the issuance of a certificate of appealability.

BY THE COURT:

Susan J. H.
GERALD AUSTIN McHUGH, J.

ENT'D JAN 10 2018