

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

ERVIN REYES	:	CIVIL ACTION
	:	
v.	:	No. 17-1992
	:	
ROBERT GILMORE, et al.	:	

**ORDER**

AND NOW, this 2nd day of October, 2017, upon careful and independent consideration of Petitioner Ervin Reyes's pro se Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody, and after review of the Report and Recommendation of United States Magistrate Judge Timothy R. Rice, to which no objections have been filed,<sup>1</sup> it is ORDERED:

1. The Report and Recommendation (Document 10) is APPROVED and ADOPTED;
2. Reyes's Petition for Writ of Habeas Corpus (Document 1) is DENIED; and
3. Reyes having failed to make a substantial showing of the denial of a constitutional right, a certificate of appealability shall not issue.

The Clerk of Court is DIRECTED to mark this case CLOSED.

BY THE COURT:

/s/ Juan R. Sánchez  
Juan R. Sánchez, J.

---

<sup>1</sup> The Report and Recommendation was sent to all parties of record on August 10, 2017, together with a Notice from the Clerk of Court advising the parties of their obligation to file any objections within 14 days after service of the Notice. *See* Local R. Civ. P. 72.1 IV(b) ("Any party may object to a magistrate judge's proposed findings, recommendations or report under 28 U.S.C. § 636(b)(1)(B), and subsections 1(c) and (d) of this Rule within fourteen (14) days after being served with a copy thereof."). As of today's date, no objections have been filed.