

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

JERRY ALLEN REED,
Petitioner,

CIVIL ACTION

v.

**SUPERINTENDENT BARRY SMITH and
ATTORNEY GENERAL OF THE STATE
OF PENNSYLVANIA,**
Respondents.

NO. 17-4414

ORDER

AND NOW, this 25th day of September, 2018, upon consideration of Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus filed by *pro se* petitioner, Jerry Allen Reed, the record in this case, and the Report and Recommendation of United States Magistrate Judge Lynne A. Sitarski dated August 8, 2018, no objections having been filed notwithstanding the passage of time for doing so, **IT IS ORDERED** as follows:

1. The Report and Recommendation of United States Magistrate Judge Lynne A. Sitarski dated August 8, 2018, is **APPROVED** and **ADOPTED**;
2. The Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus filed by *pro se* petitioner, Jerry Allen Reed, is **DENIED**;
3. A certificate of appealability will not issue because reasonable jurists would not debate (a) this Court's decision that the petition does not state a valid claim of the denial of a constitutional right, or (b) the propriety of this Court's procedural ruling(s) with respect to petitioner's claim(s). *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.