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

SANTOS RAMOS RODRIGUEZ, Plaintiff	:
VS.	: CIVIL NO. 1:CV-11-1709
COURT OF COMMON PLEAS OF	
YORK COUNTY, et al.	:
Defendants	:

ORDER

:

AND NOW, this 22nd day of November, 2011, upon consideration of the

report (Doc. 9) of the magistrate judge, filed October 25, 2011, and Plaintiff's objections

(Doc.10) thereto, and upon independent review of the record, since it appears that

Plaintiff's claims should be pursued by way of a habeas petition, it is ordered that:

1. The magistrate judge's report is adopted.

2. The complaint (Doc. 1) is hereby dismissed.

3. Plaintiff's motion (Doc. 2) for summary judgment and petitions for mandamus (Doc. 6 and 11) are dismissed.

4. The Clerk of Court shall close this file.

<u>/s/William W. Caldwell</u> William W. Caldwell United States District Judge