

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

MARJORIE DIEHL-ARMSTRONG,	:	1:13-cv-2302
	:	
Petitioner,	:	
	:	Hon. John E. Jones III
v.	:	
	:	Hon. Martin C. Carlson
PENNSYLVANIA BOARD OF	:	
PROBATION AND PAROLE, <i>et al.</i> ,	:	
	:	
Respondents.	:	

ORDER

May 7, 2014

AND NOW, upon consideration of the Report and Recommendation of Chief United States Magistrate Judge Martin C. Carlson (Doc. 12), recommending that the petition for writ of habeas corpus be denied and that no certificate of appealability shall issue, after an independent review of the record, and noting that Petitioner filed objections¹ (Doc. 13) to the report on May 6, 2014, and the Court finding Judge Carlson's analysis to be thorough, well-reasoned, and fully

¹ Where objections to a magistrate judge's report and recommendation are filed, the court must perform a *de novo* review of the contested portions of the report. *Supinski v. United Parcel Serv.*, Civ. A. No. 06-0793, 2009 WL 113796, at *3 (M.D. Pa. Jan. 16, 2009) (citing *Sample v. Diecks*, 885 F.2d 1099, 1106 n. 3 (3d Cir. 1989); 28 U.S.C. § 636(b)(1)(c)). "In this regard, Local Rule of Court 72.3 requires 'written objections which . . . specifically identify the portions of the proposed findings, recommendations or report to which objection is made and the basis for those objections.'" *Id.* (citing *Shields v. Astrue*, Civ. A. No. 07-417, 2008 WL 4186951, at *6 (M.D. Pa. Sept. 8, 2008)).

supported by the record, and the Court further finding Plaintiff's objections to be without merit² and squarely addressed by Judge Carlson's report **IT IS HEREBY ORDERED THAT:**

1. The Report and Recommendation of Magistrate Judge Carlson (Doc. 12) is **ADOPTED** in its entirety.
2. The petition for writ of habeas corpus (Doc. 1) is **DENIED**.
3. No certificate of appealability shall issue.
4. The Clerk of Court is directed to **CLOSE** the file on this case.

s/ John E. Jones III
John E. Jones III
United States District Judge

² Petitioner's objections are completely devoid of any legally meritorious arguments. We concur entirely with the Magistrate Judge's conclusion that Petitioner has failed to make a showing that the decisions of the Pennsylvania Board of Probation and Parole offend constitutional due process considerations.