

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

ERIC ROMONT HOGAN	:	CIVIL ACTION NO. 1:13-CV-2402
	:	
Petitioner	:	(JUDGE KANE)
	:	(Magistrate Judge Mehalchick)
v.	:	
	:	
MOONEY, et al.	:	
	:	
Respondents	:	

ORDER

Before the Court in the captioned action is a November 20, 2013 Report and Recommendation of the Magistrate Judge. No timely objections have been filed.

Accordingly, on this 13th day of December 2013, upon review of the record and the applicable law, **IT IS HEREBY ORDERED THAT:**

- 1) The Court adopts the Report and Recommendation of Magistrate Judge Mehalchick.
- 2) The Petitioner’s Motion for a Stay (Doc. No. 12) is **DENIED** and the Petition for Writ of Habeas Corpus (Doc. No. 1) is **DISMISSED WITHOUT PREJUDICE**.
- 3) The Petitioner has failed to demonstrate “a substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2). The Court declines to issue a certificate of appealability.
4. The Clerk of Court shall close the file.

s/ Yvette Kane _____
 YVETTE KANE, Judge
 United States District Court
 Middle District of Pennsylvania