

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

EDWARD GOODMAN,	:	CIVIL ACTION NO. 1:14-CV-1319
	:	
Petitioner	:	(Chief Judge Conner)
	:	
v.	:	
	:	
JOHN KERESTES,	:	
	:	
Respondent	:	

ORDER

AND NOW, this 16th day of December, 2016, upon consideration of the report (Doc. 29) of Magistrate Judge Susan E. Schwab, recommending that the court deny the *pro se* petition (Doc. 1) for writ of habeas corpus by petitioner Edward Goodman (“Goodman”) as moot and on the merits, wherein Judge Schwab specifically opines that Goodman’s challenge to a November 5, 2013, denial of parole (his sixth) by the Pennsylvania Board of Probation and Parole (“the Board”) is moot by reason of the Board’s subsequent denial of parole following Goodman’s seventh and eighth parole reviews, (see Doc. 29 at 6-7), and alternatively opines that Goodman’s *ex post facto* and substantive due process claims are meritless, (see id. at 9-18), and further upon consideration of Goodman’s objections (Doc. 30) to the report, and following a *de novo* review of the contested portions of the report, see Behar v. Pa. Dep’t of Transp., 791 F. Supp. 2d 383, 389 (M.D. Pa. 2011) (citing 28 U.S.C. § 636(b)(1)(C); Sample v. Diecks, 885 F.2d 1099, 1106 n.3 (3d Cir. 1989)), and applying a clear error standard of review to the uncontested portions, see Cruz v. Chater, 990 F. Supp. 375, 376-78 (M.D. Pa.

1999), the court finding Judge Schwab's analysis to be thorough, well-reasoned, and fully supported by the record before the court, and finding Goodman's objections to be without merit, it is hereby ORDERED that:

1. The report (Doc. 29) of Magistrate Judge Susan E. Schwab is ADOPTED.
2. Goodman's petition (Doc. 1) for writ of habeas corpus pursuant to 28 U.S.C. § 2254 is DENIED.
3. The court finds no basis to issue a certificate of appealability. See R. GOVERNING SECTION 2254 CASES R. 11(a).
4. The Clerk of Court is directed to CLOSE this case.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania