

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

WILLIAM ROHLAND,	:	CIVIL ACTION NO. 1:18-CV-547
	:	
Petitioner	:	(Chief Judge Conner)
	:	
v.	:	
	:	
JOHN WETZEL, Executive Branch Pa Agent, et al.,	:	
	:	
Respondents	:	

ORDER

AND NOW, this 19th day of June, 2018, upon consideration of the report (Doc. 8) of Magistrate Judge Joseph F. Saporito, Jr., recommending that the court dismiss the petition (Doc. 1) for writ of habeas corpus by *pro se* petitioner William Rohland (“Rohland”) for lack of jurisdiction as an unauthorized second or successive petition pursuant to 28 U.S.C. § 2244(b)(2), without prejudice to his right to seek the Third Circuit Court of Appeals’ preauthorization to file same under 28 U.S.C. § 2244(b)(3), and the court noting that Rohland objects to the report, (see Docs. 10, 14), and filed various miscellaneous motions and correspondence, (see Docs. 9, 11, 12, 13, 15), 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 Sample v. Diecks, 885 F.2d 1099, 1106 n.3 (3d Cir. 1989); 28 U.S.C. § 636(b)(1)(C)), and applying a clear error standard of review to uncontested portions, see Cruz v. Chater, 990 F. Supp. 375, 376-78 (M.D. Pa. 1999), the court being in agreement with Judge Saporito that Rohland’s instant petition is an unauthorized second or successive petition filed

without leave of the Third Circuit Court of Appeals, see 28 U.S.C. § 2244(b)(2)-(3), and finding Judge Saporito's analysis to be thorough, well-reasoned, and fully supported by the record, and further finding Rohland's objection to be without merit and squarely addressed by Judge Saporito's report, it is hereby ORDERED that:

1. The report (Doc. 8) of Magistrate Judge Saporito is ADOPTED.
2. Rohland's petition (Doc. 1) for writ of habeas corpus is DISMISSED without prejudice to Rohland's right to request leave from the Third Circuit Court of Appeals to pursue a second or successive petition pursuant to 28 U.S.C. § 2244(b)(2) and (b)(3).
3. The court finds no basis to issue a certificate of appealability. See 28 U.S.C. § 2253(c); R. GOVERNING § 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