

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

CANDICE STARUH

Petitioner,

v.

RHODA WINSTEAD,

Respondents.

Civil Action No. 3:11-cv-1604

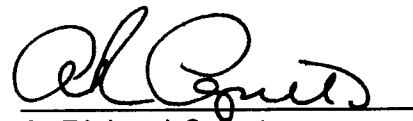
(JUDGE CAPUTO)

(MAGISTRATE JUDGE SMYSER)

ORDER

NOW this 5th day of April, 2012, upon review of the Report and Recommendation of Magistrate Judge J. Andrew Smyser (Doc. 11) for plain error or manifest injustice, **IT IS HEREBY ORDERED** that:

- (1) The Report and Recommendation (Doc. 11) is **ADOPTED**.
- (2) The petition for a writ of habeas corpus (Doc. 1) is **DENIED**.
- (3) A Certificate of Appealability **SHALL NOT ISSUE**.
- (4) The Clerk of Court is directed to mark the case as **CLOSED**.



A. Richard Caputo
United States District Judge