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

ROBERT M. CORNWELL,

Petitioner, :

Civil Action No. 3:13-CV-2294

v. :

(Judge Mariani)

DELBERT SAUERS, :

Respondent.

<u>ORDER</u>

AND NOW, THIS POR DAY OF MAY, 2014, in accordance with the

Memorandum issued this date, IT IS HEREBY ORDERED AS FOLLOWS:

- 1. The Report and Recommendation (Doc. 9) is **ADOPTED**.
- 2. The petition for a writ of habeas corpus (Doc. 1) is **DENIED** without prejudice to Petitioner's right to take any action before the Court of Appeals that he deems appropriate under 28 U.S.C. § 2255.
- 3. The Clerk of Court is directed to **CLOSE** this case.

Robert D. Mariani

United States District Judge