

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

JOSE ALBERT CASTRO,

Petitioner.

v.

ROBERT GILMORE, *et al.*,

Respondents.

No. 4:15-CV-1833

(Judge Brann)

(Magistrate Judge Carlson)

ORDER

APRIL 30, 2019

1. On September 21, 2015, Petitioner filed the instant Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254. ECF No. 1
2. On September 20, 2017, Magistrate Judge Martin C. Carlson issued a Report and Recommendation in which he recommended that the petition be denied and that a certificate of appealability not issue. ECF No. 18.
3. On November 28, 2017, this Court adopted Magistrate Judge Carlson's Report and Recommendation in its entirety and denied Petitioner's Petition for a Writ of Habeas Corpus. ECF No. 19.
4. Petitioner appealed, ECF No. 21, and on April 19, 2018, the United States Court of Appeals for the Third Circuit denied Petitioner's request for a certificate of appealability. ECF No. 22.

5. On March 11, 2019, Petitioner filed a Motion to Reopen Case. ECF No. 23.
6. On March 27, 2019, Magistrate Judge Carlson issued a Report and Recommendation in which he recommended that Petitioner's motion to reopen his case be denied. ECF No. 24.
7. On April 11, 2019, Petitioner objected to Magistrate Judge Carlson's Report and Recommendation. ECF No. 25.
8. As a result of Plaintiff's objections, this Court has reviewed the Report and Recommendation *de novo*.¹
9. Finding that Plaintiff's objections are meritless, this Court **ADOPTS** the Report and Recommendation, ECF No. 24, in its entirety.
10. Therefore, **IT IS HEREBY ORDERED** that Petitioner's Motion to Reopen Case is **DENIED**.

BY THE COURT:

s/ Matthew W. Brann
Matthew W. Brann
United States District Judge

¹ 28 U.S.C. § 636(b)(1).