

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

JOSH McCLOUD,)
)
) Petitioner,)
) Civil Action No. 11-2 E)
 vs.) District Judge Maurice B. Cohill)
) Magistrate Judge Maureen P. Kelly)
 GERALD ROZUM, and THE ATTORNEY)
 GENERAL OF THE STATE OF)
 PENNSYLVANIA,)
 Respondents.)

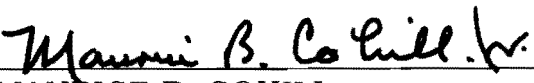
ORDER

AND NOW, this 1st day of August, 2013, after the
Petitioner, Josh McCloud, filed an action in the above-captioned case, and
after a Report and Recommendation was filed by the United States Magistrate
Judge giving the parties until July 15, 2013 to file written objections thereto,
and no objections having been filed to the report and recommendation, and
upon independent review of the record, and upon consideration of the
Magistrate Judge's Report and Recommendation, which is adopted as the
opinion of this Court,

IT IS HEREBY ORDERED that the Petition for Writ of Habeas
Corpus under 28 U.S.C. § 2254 for Writ of Habeas Corpus By A Person In State
Custody (the "Petition") is denied;

IT IS FURTHER ORDERED that a Certificate of Appealability is denied.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if any party wishes to appeal from this Order a notice of appeal, as provided in Fed. R. App. P. 3, must be filed with the Clerk of Court, United States District Court, at 700 Grant Street, Room 3110, Pittsburgh, PA 15219, within thirty (30) days.



MAURICE B. COHILL
United States District Judge

cc: Honorable Maureen P. Kelly
United States Magistrate Judge

Josh McCloud
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SCI Somerset
1600 Walters Mill Road
Somerset, PA 15510

All Counsel of Record Via CM-ECF