

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

|                   |   |  |
|-------------------|---|--|
| ANTHONY L. VIOLA, | ) |  |
| Petitioner,       | ) | Civil Action No. 17-214 Erie           |
|                   | ) |  |
| v.                | ) | Judge Nora Barry Fischer               |
|                   | ) | Magistrate Judge Susan Paradise Baxter |
| WARDEN ZUNIGA,    | ) |  |
| Respondent.       | ) |  |

**MEMORANDUM ORDER**

This action, filed pursuant to 28 U.S.C. § 2241, was referred to United States Magistrate Judge Susan Paradise Baxter for a report and recommendation in accordance with 28 U.S.C. § 636(b)(1) and Rule 72 of the Local Rules for Magistrate Judges. On March 9, 2018, the Magistrate Judge issued a Report and Recommendation [ECF No. 13] in which she recommended that the petition be denied. Objections were filed by the petitioner on March 27, 2018. [ECF No. 14]. After *de novo* review of the petition and documents in this case, together with the Report and Recommendation and Objections thereto, the following order is entered:

AND NOW, this 28th day of March, 2018;

IT IS HEREBY ORDERED that the claims raised in Viola's petition are DISMISSED with prejudice. The Report and Recommendation [ECF No. 13] is adopted as the opinion of the Court. The Clerk of Court shall mark this case CLOSED.

/s/ Nora Barry Fischer  
United States District Court Judge

cc/ecf: All counsel of record

cc: Anthony L. Viola  
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