

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

RICHARD PETERSON,)	
)	
Petitioner,)	
)	
v.)	Case No. 1:18-cv-58
)	
SUPT. MICHAEL CLARK, et al.)	
)	
Respondents.)	

MEMORANDUM ORDER

The instant petition for a writ of habeas corpus was received by the Clerk of Court on February 23, 2018 and referred to the undersigned, then a United States Magistrate Judge, for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and the Local Rules for Magistrate Judges. On September 19, 2018, the case was transferred to the undersigned in her current capacity as a United States District Judge. ECF No. 11. The case was subsequently referred to United States Magistrate Judge Richard A. Lanzillo in accordance with the provisions of the Magistrates Act and the Local Rules of Court. ECF No. 14.

On March 27, 2019, Judge Lanzillo issued a Magistrate Judge’s Report and Recommendation (“R&R”), ECF No. [25], recommending that the petition be dismissed and a certificate of appealability be denied. Objections to the R&R were due no later than April 15, 2019. To date, no objections to the R&R have been filed.

After *de novo* review of the petition for writ of habeas corpus and documents in the case, together with the Magistrate Judge’s R&R, the following order is entered:

AND NOW, this 2nd Day of May, 2019;

IT IS ORDERED that the petition for writ of habeas corpus [4] is DISMISSED.

IT IS FURTHER ORDERED that a certificate of appealability is DENIED.

The Report and Recommendation of United States Magistrate Judge Richard Lanzillo, dated March 27, 2019, ECF No. [25], is hereby adopted as the opinion of this Court.

The Clerk is directed to mark this case "CLOSED."

/s/ Susan Paradise Baxter
SUSAN PARADISE BAXTER
United States District Judge

cc: Richard Peterson
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The Honorable Richard A. Lanzillo
United States Magistrate Judge