

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

LORENZO L. MILLS,)	
)	
Petitioner,)	
)	
v.)	Case No. 1:18-cv-136-SPB
)	
SUPERINTENDENT BARRY R.)	
SMITH, et al.,)	
)	
Respondent.)	

MEMORANDUM ORDER

Petitioner Lorenzo L. Mills (“Mills” or “Petitioner”), a former inmate at SCI-Houtzdale, commenced this action on May 15, 2018 seeking habeas corpus relief under 28 U.S.C. §2254. ECF No. 1. On May 22, 2018, Mills was granted leave to proceed *in forma pauperis* and his petition was filed of record. ECF Nos. 3 and 4. On July 1, 2020, the matter was referred to United States Magistrate Judge Lisa Pupo Lenihan for report and recommendation (“R&R”) in accordance with the Magistrate Judges Act, 28 U.S.C. §636(b)(1), and the Local Rules for Magistrate Judges. ECF No. 1.

On April 26, 2021, Magistrate Judge Lenihan issued an R&R recommending that this Court deny the instant petition and decline to issue a certificate of appealability. ECF No. [22]. The Magistrate Judge opined that Mills’s §2254 claims were variously non-cognizable, lacking in substantive merit, or procedurally defaulted.

Objections to the R&R were due on May 13, 2021. On May 10, 2021, the Court received a change-of-address notice from Mills and a request that the R&R be sent to his current address. The Clerk did so the following day, upon the direction of Judge Lenihan. As of the date of this

Order, however, no objections have been received, nor has Mills requested an extension of time for the purpose of filing objections.

After *de novo* review of the petition and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 28th day of May, 2021, IT IS ORDERED that the within petition for a writ of habeas corpus, ECF No. [7] shall be, and hereby is, DENIED.

Further, because jurists of reason would not find it debatable whether Petitioner has failed to state a cognizable basis for relief under 28 U.S.C. § 2254, IT IS HEREBY ORDERED that a certificate of appealability is DENIED.

IT IS FURTHER ORDERED that the Report and Recommendation of Magistrate Judge Lenihan, issued on April 26, 2021, ECF No. [22], is hereby adopted as the opinion of this Court.

As there are no further matters pending before the Court relative to the instant petition, the Clerk is directed to mark this case "CLOSED."



SUSAN PARADISE BAXTER
United States District Judge

cm: Lorenzo L. Mills
317 Kiehl Street
Aliquippa, PA 15001
(via U.S. Mail, First Class)

Counsel of Record
United States Magistrate Judge Lisa Pupo Lenihan
(via cm/ecf)