

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

|                          |   |                          |
|--------------------------|---|--------------------------|
| RICKY DEON BOYER,        | ) |                          |
|                          | ) |                          |
| Petitioner,              | ) | Civil Action No. 07-929  |
|                          | ) |                          |
| v.                       | ) | Chief Judge Lancaster    |
|                          | ) | Magistrate Judge Bissoon |
| GERALD L. ROZUM, et al., | ) |                          |
|                          | ) |                          |
| Respondents.             | ) |                          |

**MEMORANDUM ORDER**

Ricky Deon Boyer's petition for writ of habeas corpus was received by the Clerk of Court on July 5, 2007, and was referred to United States Magistrate Judge Francis X. Caiazza for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.C and 72.D of the Local Rules for Magistrates. The matter was later referred to Magistrate Judge Cathy Bissoon.


The Magistrate Judge's Report and Recommendation, filed on July 31, 2009, recommended that the Petition for Writ of Habeas Corpus filed by Petitioner Boyer be dismissed and that a certificate of appealability be denied. The parties were allowed ten days from the date of service to file objections. Boyer twice requested extensions of time to file objections (Docs. 37 and 38), and his objections were ultimately due on or before September 28, 2009. No objections have been filed.

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

AND NOW, this 16<sup>th</sup> day of Oct, 2009,

IT IS HEREBY ORDERED that the Petition for Writ of Habeas Corpus filed by Ricky Deon Boyer is DISMISSED, and a certificate of appealability is DENIED.

The Report and Recommendation of Magistrate Judge Bissoon (Doc. 36), dated July 31, 2009, is adopted as the opinion of the court.

  
\_\_\_\_\_  
Gary L. Lancaster  
Chief U.S. District Court Judge

cc:  
RICKY DEON BOYER  
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