

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

CHARLES DEAN NORRIS,)	
Petitioner,)	
)	Civil Action No. 07-1581
vs.)	
)	Magistrate Judge Lisa Pupo Lenihan
RAYMOND M. LAWLER; Superintendent;)	
THE DISTRICT ATTORNEY OF THE COUNTY)	
OF WESTMORELAND; and THE ATTORNEY)	
GENERAL OF THE COMMONWEALTH OF)	
PENNSYLVANIA,)	
Respondents.)	

MEMORANDUM ORDER

On November 19, 2007, the above captioned case was initiated by the filing of a Petition for Writ of Habeas Corpus and was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges.

The Magistrate Judge's Report and Recommendation filed on November 28, 2008 (doc. no. 18) recommended that the Petition for Writ of Habeas Corpus be denied and that a certificate of appealability be denied. On December 17, 2008, Petitioner filed Objections to the Report and Recommendation (doc. no. 19). Petitioner's objections do not undermine the recommendation of the Magistrate Judge.

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

AND NOW, this 30th day of December 2008;

IT IS HEREBY ORDERED that the Petition for Writ of Habeas Corpus is **DENIED**.

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

IT IS FURTHER ORDERED that the Report and Recommendation (doc. no. 17⁸) of Magistrate Judge Lenihan dated November 28, 2008, is **ADOPTED** as the Opinion of the Court.

IT IS FURTHER ORDERED that the Clerk of Court mark this case **CLOSED**.

AND IT IS FURTHER ORDERED that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, Plaintiff has thirty (30) days to file a notice of appeal as provided by Rule 3 of the Federal Rules of Appellate Procedure.

By the Court:



Donetta W. Ambrose

United States District Judge, Chief

cc: Lisa Pupo Lenihan
United States Magistrate Judge

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