

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

DUANE LAMONT COLEMAN,)	
)	Civil Action No. 09 - 1225
Petitioner,)	
)	District Judge Donetta W. Ambrose
v.)	
)	
LOUIS FOLINO, Superintendent of S.C.I.)	
Greene; THE DISTRICT ATTORNEY OF)	
THE COUNTY OF ALLEGHENY; and)	
THE ATTORNEY GENERAL OF THE)	
STATE OF PENNSYLVANIA,)	
)	
Respondents.)	

MEMORANDUM ORDER

On September 9, 2009, 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 June 1, 2010 (doc. no. 12) recommended that the Petition for Writ of Habeas Corpus be denied and that a certificate of appealability be denied. On June 21, 2010, Petitioner filed Objections to the Report and Recommendation (doc. no. 13). 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 2nd day of July, 2010;

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. 12) dated June 1, 2010, 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

cc: Duane Lamont Coleman
FW-7608
SCI Greene
175 Progress Drive
Waynesburg, PA 15370