

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

| | | |
|------------------------|---|-------------------------|
| JAMES GREEN, |) | |
| Petitioner, |) | |
| |) | |
| vs. |) | Civil Action No. 10-168 |
| |) | |
| BRIAN COLEMAN, et al., |) | |
| Respondents. |) | |

ORDER

AND NOW, this 18th day of May, 2010, after the petitioner, James Green, filed a petition for a writ of habeas corpus, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties until May 17, 2010 to file written objections thereto, and upon consideration of the Motion for Reconsideration filed by petitioner (Docket No. 13), which will be treated as objections, and the objections filed by petitioner (Docket No. 14), and upon independent review of the petition and the record and upon consideration of the Magistrate Judge's Report and Recommendation (Docket No. 12), which is adopted as the opinion of this Court,

IT IS ORDERED that the petition for a writ of habeas corpus filed by petitioner James Green (Docket No. 1) is dismissed and a certificate of appealability is denied.

IT IS FURTHER ORDERED that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure if the petitioner desires to appeal from this Order he must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed. R. App. P.

s/ Terrence F. McVerry
Terrence F. McVerry
United States District Judge

cc: James Green
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