

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

ANDRE HERRING,)	
)	Civil Action No. 13 – 1172
Petitioner,)	
)	
v.)	Magistrate Judge Lisa Pupo Lenihan
)	
COMMON PLEAS COURT ALLEG.)	
CO, PA and THE ATTORNEY)	
GENERAL OF THE STATE OF)	
PENNA.,)	
)	
Respondents.)	

ORDER

For the reasons stated in this Court’s Memorandum Opinion filed contemporaneously herewith,

IT IS HEREBY ORDERED that the Petition for Writ of Habeas Corpus (ECF No. 1) is **DENIED**.

IT IS FURTHER ORDERED that a Certificate of Appealability is **DENIED**.

IT IS FURTHER ORDERED that the Motion of Consideration is **DENIED AS MOOT**.

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, if any party wishes to appeal from this Order a notice of appeal, as provided in Fed. R. App. P. 3, must be filed with the Clerk of Court, United States District Court, at 700 Grant Street, Room 3110, Pittsburgh, PA 15219, within thirty (30) days.

Dated: July 21, 2015.

/s/ Lisa Pupo Lenihan

Lisa Pupo Lenihan

United States Magistrate Judge

Cc: Andre Herring

LA2238

SCI Somerset

1600 Walters Mill Road

Somerset, PA 15510