

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

CLINTON J. SMITH,	)	
	)	
Petitioner,	)	Civil Action No. 14-714
	)	
v.	)	Judge Cathy Bissoon
	)	Magistrate Judge Lisa Pupo Lenihan
JOHN KERESTES, <i>et. al.</i> ,	)	
	)	
Respondents.	)	

**MEMORANDUM ORDER**

This case was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Local Rule of Civil Procedure 72.

On May 16, 2017, the Magistrate Judge issued a Report (Doc. 27) recommending that the petition for a writ of habeas corpus, and the certificate of appealability, be denied. Service of the Report and Recommendation was made, and no objections have been filed.

After a review of the pleadings and documents in the case, together with the Report and Recommendation, the following Order is entered:

The Petition of Clinton J. Smith for a writ of habeas corpus (**Doc. 1**) is **DISMISSED** and a certificate of appealability is **DENIED**. The Report and Recommendation of the Magistrate Judge, dated May 16, 2017, hereby is adopted as the Opinion of the District Court.

IT IS SO ORDERED.

June 9, 2017

s/Cathy Bissoon  
Cathy Bissoon  
United States District Judge

cc (via ECF email notification):

All counsel of record

cc (via First-Class U.S. Mail):

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