

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

LAFAYETTE MORELAND,

Petitioner,

v.

COMMONWEALTH OF
PENNSYLVANIA,

Respondent.

)
) Civil Action No. 2: 14-cv-1386
)
)
) District Judge Arthur J. Schwab
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)
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)

MEMORANDUM ORDER

On October 14, 2014, Petitioner filed in this Court a Motion for Leave to Proceed in forma pauperis, and attached a “Motion Pursuant Title 28 § 2254(d)(1) Challenging the Commonwealth of Pennsylvania Court’s Judgment Rendered in his ‘Writ for Error Coram Nobis’ ” (hereinafter referred to as Petition). The motion for leave was granted on October 31, 2014 and thereafter the Petition was filed (ECF No. 3).

The magistrate judge filed a Report and Recommendation on October 31, 2014 (ECF No. 2) recommending that the Petition be dismissed summarily for lack of jurisdiction and that a certificate of appealability be denied. Petitioner was served with the Report and Recommendation at his listed address and was advised that he had November 17, 2014, to file written objections to the Report and Recommendation. To date, no objections have been filed and Petitioner has not requested an extension of time in which to file any objections.

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

AND NOW, this 18th day of November, 2014:

IT IS HEREBY ORDERED that the Petition for Writ of Habeas Corpus is **DISMISSED** summarily for lack of jurisdiction.

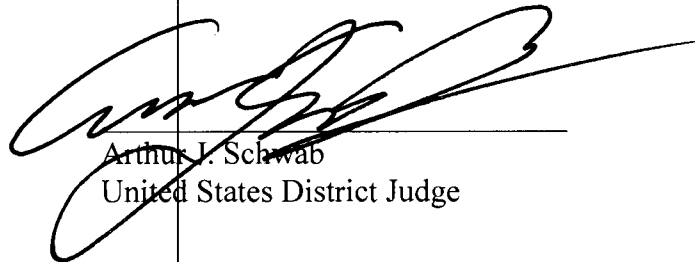
IT IS FURTHER ORDERED that a certificate of appealability is **DENIED**.

IT IS FURTHER ORDERED that the Report and Recommendation (ECF No. 2) 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.

SO ORDERED this 18th day of November, 2014.



Arthur J. Schwab
United States District Judge

cc: LAFAYETTE M. MORELAND
09660-068
Federal Correctional Inst.
Cumberland, MD 21501