

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

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|---------------------------------------|---|--|
| EDMOND JACKSON |) | |
| |) | Civil Action No. 14 – 1448 |
| Petitioner, |) | |
| |) | Chief District Judge Joy Flowers Conti |
| v. |) | Magistrate Judge Lisa Pupo Lenihan |
| |) | |
| JON FISHER, <i>Superintendent SCI</i> |) | |
| <i>Smithfield</i> and THE ATTORNEY |) | |
| GENERAL OF THE STATE OF |) | |
| PENNSYLVANIA, |) | |
| |) | |
| Respondents. |) | |

MEMORANDUM ORDER

On October 24, 2014, Edmond Jackson (“Petitioner”) filed with the Court a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254, challenging his judgment of sentence of twenty-seven to fifty-four months imprisonment entered on June 7, 2012, in the Court of Common Pleas of Fayette County, docketed at CP-26-CR-0001871-2011. In accordance with the Magistrate Judge’s Act, 28 U.S.C. § 636(b)(1), and Rules 72.C and 72.D of the Local Rules of Court, all pretrial matters were referred to United States Magistrate Judge Lisa Pupo Lenihan.

On August 19, 2016, the Magistrate Judge entered a Report and Recommendation wherein she recommended that the Petition for Writ of Habeas Corpus be denied and that a Certificate of Appealability also be denied. Petitioner was served with the Magistrate Judge’s Report and Recommendation and informed that he had until September 6, 2016 to file written objections. Petitioner later requested and was granted an extension of time to file objections, and

the deadline was moved to October 7, 2016. As of today, however, no objections have been filed.

Therefore, after an independent review of the record, and consideration of the Magistrate Judge's Report and Recommendation, the following Order is entered:

AND NOW, this 19th day of October, 2016;

IT IS HEREBY ORDERED that the Petition for Writ of Habeas Corpus (ECF No. 5) is **DENIED** and that a Certificate of Appealability is also **DENIED**.

IT IS FURTHER ORDERED that the Magistrate Judge's Report and Recommendation (ECF No. 18) 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, Petitioner 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:

/s/ Joy Flowers Conti
Joy Flowers Conti
Chief United States District Judge

cc: Edmond Jackson
GS7050
SCI Mahanoy
301 Morea Road
Frackville, PA 17932

Counsel for Respondent
Via CM/ECF