

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

GADY PICHARDO HILARIO)	
)	Civil Action No. 3:14-cv-0253
Petitioner,)	
)	United States District Judge
)	Kim R. Gibson
v.)	
)	
GEORGE WIGIN, WARDEN, MVCC,)	
)	
Respondent.)	

MEMORANDUM ORDER

On November 11, 2014, the above captioned case was initiated by the filing of an Emergency Petition for Immediate Release Pursuant to U.S.C. § 2241 (ECF No. 1) and was referred to a united states magistrate judge for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and the Local Rules of Court for Magistrate Judges.

The magistrate judge filed a Report and Recommendation on May 21, 2015 (ECF No. 14) recommending that the Petition for Writ of Habeas Corpus be denied. Petitioner filed timely Objections to the Report and Recommendation (ECF No. 15). Petitioner's objections do not undermine the recommendation of the magistrate judge as the objections do not show that Petitioner's sentence is being calculated in violation of 18 U.S.C. § 3585(b).

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

AND NOW, this 22nd day of June, 2015:

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

IT IS FURTHER ORDERED that the Report and Recommendation (ECF No. 14) 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.

By the Court:

A handwritten signature in black ink, appearing to read "Kim R. Gibson". The signature is written in a cursive style with a horizontal line underneath it.

Kim R. Gibson
United States District Judge

cc: GADY PICHARDO HILARIO
71152-053
Moshannon Valley Correctional Institution
Unit B
555 Geo Drive
Philipsburg, PA 16866
(via United States First Class Mail)

Amie S. Murphy
United States Attorneys Office
(via ECF electronic notification)