

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

ERNEST SIMMONS, :
Petitioner, :
v. : Case 3:15-cv-135-KRG-KAP
JAMEY LUTHER, SUPERINTENDENT :
S.C.I. LAUREL HIGHLANDS, :
Respondent :

Memorandum Order

Petitioner's Rule 59 motion, docket no. 5, was referred to Magistrate Judge Keith A. Pesto under 28 U.S.C. § 636(b)(3).

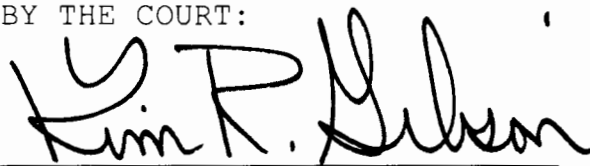
The Magistrate Judge filed a Report and Recommendation on October 7, 2015, docket no. 6, recommending that the motion be denied.

The petitioner was notified that pursuant to 28 U.S.C. § 636(b)(1), he had fourteen days to file objections. Petitioner did not file objections to the Report and Recommendation, and the time to do so has expired.

Upon review of the Report and Recommendation, and noting the lack of timely objections thereto, the following order is entered:

AND NOW, this 28th day of October, 2015, it is
ORDERED that the Motion for Reconsideration at docket no.
5 is denied.

BY THE COURT:

A handwritten signature in black ink that reads "Kim R. Gibson". The signature is written in a cursive style with a large, stylized "K" and "G".

KIM R. GIBSON,
UNITED STATES DISTRICT JUDGE

Notice by ECF to counsel of record and by U.S. Mail to:

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