

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

ROGER F. EVANS, :
Petitioner :
v. : Case No. 3:16-cv-173-KRG-KAP
SHAWN MILLION, WARDEN, :
F.C.I. LORETTO, :
Respondent :

Memorandum Order

This matter was referred to Magistrate Judge Keith A. Pesto for proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636, and Local Rule 72 for Magistrate Judges.

The Magistrate Judge filed a Report and Recommendation on July 28, 2016, ECF no. 2, recommending that the petition for a writ of habeas corpus be dismissed for lack of subject matter jurisdiction. See Cardona v. Bledsoe, 681 F.3d 533 (3d Cir.2012).

The petitioner was notified that pursuant to 28 U.S.C. § 636(b)(1), he had fourteen days to file written objections to the Report and Recommendation. Petitioner filed timely objections at ECF no. 3, but they are without merit.

After de novo review of the record, the Report and Recommendation, and the timely objections thereto, the following order is entered:

AND NOW, this 16th day of August, 2016, it is

ORDERED that the petitioner's petition for a writ of habeas corpus is dismissed for lack of jurisdiction. The Report and Recommendation is adopted as the opinion of the Court. The Clerk shall mark this matter closed.

BY THE COURT:

A handwritten signature in black ink that reads "Kim R. Gibson". The signature is written in a cursive style with a horizontal line underneath it.

KIM R. GIBSON,
UNITED STATES DISTRICT JUDGE

Notice by U.S. Mail to:

Roger F. Evans, Reg. No. 53001-037
F.C.I. Loretto
P.O. Box 1000
Loretto, PA 15940