

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

SHAWMAR PITTS : CIVIL ACTION
 :
 v. :
 :
 CHARLES WYNDER, et al. : NO. 05-cv-01038-JF

MEMORANDUM AND ORDER

Fullam, Sr. J.

July 24, 2006

In this habeas corpus action brought by a state prisoner under 28 U.S.C. § 2254, Magistrate Judge Thomas J. Rueter has filed a thorough and comprehensive Report, recommending that the petition for a writ of habeas corpus should be denied. Petitioner has filed objections to the Magistrate's Report, but his objections consist merely of reiterating arguments made previously, none of which have any conceivable merit. Having reviewed the entire record, I readily conclude that the Magistrate Judge has correctly resolved all issues in the case, that petitioner's objections must be overruled, and the petition denied.

An Order follows.

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O R D E R

AND NOW, this 24th day of July 2006, IT IS ORDERED:

1. Petitioner's objections to the Report and Recommendation of United States Magistrate Judge Thomas J. Rueter are OVERRULED.
2. The Magistrate Judge's Report is APPROVED and ADOPTED.
3. The petition for a writ of habeas corpus is DENIED.
4. Since petitioner has not raised any substantial issues of constitutional magnitude, I conclude, for the reasons elaborated in the Magistrate Judge's Report, that there is no basis for issuing a certificate of appealability.

BY THE COURT:

/s/ John P. Fullam
John P. Fullam, Sr. J.