

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

ADALBERTO J. CASTRO,
Petitioner,

v.

LOUIS FOLINO, et al.,
Respondents.

CIVIL NO. 10-2568

FILED

JAN 06 2014

MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk


ORDER

AND NOW, this 6th day of January 2014, upon careful and independent consideration of the Petition for Writ of Habeas Corpus [Doc. No. 1], the response thereto [Doc. No. 8], and the state court record, and upon review of the Report and Recommendation (“R & R”) of United States Magistrate Judge Lynne A. Sitarski [Doc. No. 11], to which Petitioner objected [Doc. No. 12], it is hereby **ORDERED** that:

1. Petitioner’s objections to the R & R are **OVERRULED**;¹
2. The Report and Recommendation is **APPROVED** and **ADOPTED** and the Petition for Writ of Habeas Corpus is **DENIED** on the merits for the reasons set forth therein;
3. There is no probable cause to issue a certificate of appealability; and
4. As this Order is the Final Judgment of the Court, the Clerk of Court is **DIRECTED** to mark this case closed.

It is so **ORDERED**.

BY THE COURT:


CYNTHIA M. RUFÉ, J.

¹ Petitioner’s objections recycle arguments made in the petition—that his confession was coerced and involuntary and that the Miranda warnings given became stale during the course of his four hour interrogation. He does not object to the R & R insofar as it recommends denying his ineffective assistance of counsel claims.