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

LEROY ANTONIO WILSON, Petitioner,	:	CIVIL ACTION
v.	:	
JULIO M. ALGARIN, et al., Respondents.	:	NO. 07-5488

ORDER

AND NOW, this 15th day of December, 2008, upon consideration of the petition for a writ of habeas corpus, Respondents' answers and appended documents, and the Report and Recommendation of United States Magistrate Judge David R. Strawbridge, it is **ORDERED** that:

1. The Report and Recommendation is **APPROVED AND ADOPTED**;

2. The petition for a writ of habeas corpus is **DENIED AND DISMISSED**;

3. A certificate of appealability **SHALL NOT** issue, in that the Petitioner has not made a substantial showing of the denial of a constitutional right and because reasonable jurists would not find the correctness of the procedural aspects of this decision debatable. *See* 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000); and

4. The Clerk of Court shall mark this case **CLOSED** for statistical purposes.

BY THE COURT:

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LEGROME D. DAVIS, J.

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