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

TIMOTHY SHEARER,

v.

CIVIL ACTION NO. 11-5315

SHIRLEY R. MOORE SMEAL; THE DISTRICT ATTORNEY OF THE COUNTY OF PHILADELPHIA; THE ATTORNEY GENERAL OF THE STATE OF PENNSYLVANIA,

## **ORDER**

**AND NOW**, this 26<sup>th</sup> day of January, 2017, upon consideration of Petitioner's "<u>Hazel-Atlas</u> Motion" (Docket No. 58) and "Supplemental Amended <u>Hazel-Atlas</u>

Motion" (Docket No. 61), it is hereby **ORDERED** as follows:

- 1. Petitioner's motions are **DENIED**;
- 2. A certificate of appealability will not be granted.

**BY THE COURT:** 

/s/ Jeffrey L. Schmehl Jeffrey L. Schmehl, J.