

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

No. 13-3396

MATTHEW E. GUNNER,
Petitioner - Appellant,

v.

ROBERT WELCH, Warden,
Respondent - Appellee.

Before: MOORE and GRIFFIN, Circuit Judges; KORMAN, District Judge.

JUDGMENT

On Appeal from the United States District Court
for the Northern District of Ohio at Toledo.

THIS CAUSE was heard on the record from the district court and was submitted on the briefs without oral argument.

IN CONSIDERATION WHEREOF, it is ORDERED that the district court's dismissal of the petition for a writ of habeas corpus is REVERSED, and the case is REMANDED for consideration of the petition on the merits.

ENTERED BY ORDER OF THE COURT



Deborah S. Hunt, Clerk

FILED
Apr 17, 2014
DEBORAH S. HUNT, Clerk