

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

DARON JOSEPHS,	:	
a/k/a DOMINIC GIBBS,	:	
	:	Civil Action No. 10-0753 (RMB)
Petitioner,	:	
	:	
v.	:	ORDER
	:	
ROBERT A KIRKPATRICK, et al.,	:	
	:	
Respondents.	:	

For the reasons set forth in the Opinion filed herewith,
IT IS on this 27th day of September 2012, hereby:

ORDERED that the Motions [43, 45] to expand the record are DENIED IN PART, and are GRANTED only to the extent that this Court will consider the 2006 letter from state PCR counsel and attached affidavit of Carmeta V. Lindo, constituting Exhibit B to the Motion [45], that were mistakenly omitted from the state court record provided by Respondents to this Court; and it is further

ORDERED that the Petition for writ of habeas corpus under 28 U.S.C. § 2254 is DENIED; and it is further

ORDERED that no certificate of appealability shall issue under 28 U.S.C. § 2253(c)(2), the Petitioner having failed to make a substantial showing of the denial of a constitutional right.

s/Renée Marie Bumb
RENEE MARIE BUMB
United States District Judge