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

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| **LEON LEWIS** | : | **CIVIL ACTION** |
| **Petitioner,** | : | |
| **v.** | : | **NO. 08-4498** |
| **FRANKLIN J. TENNIS, THE DISTRICT ATTORNEY OF PHILADELPHIA, and THE ATTORNEY GENERAL OF THE STATE OF PENNSYLVANIA,** | : | |
| **Respondents.** | : | |

**O R D E R**

**AND NOW**, this 17th day of June, 2010, upon consideration of Leon Lewis's Motion for Relief From Judgment or Order – Reconsideration (Document No. 24, filed May 24, 2010), and the documents attached thereto, **IT IS ORDERED** that Lewis's Motion for Relief from Judgment or Order – Reconsideration is **GRANTED IN PART** and **DENIED IN PART** as follows:

1. That portion of Lewis's Motion for Relief from Judgment or Order – Reconsideration which relates to the Court's ruling of May 12, 2010 that Ground One of Lewis's Petition for Writ of Habeas Corpus by a Person in State Custody is procedurally barred is **DENIED**.

2. That portion of Lewis's Motion for Relief from Judgement or Order – Reconsideration which relates to the Court's ruling of May 12, 2010 that Grounds Two, Three and Four of Lewis's Petition for Writ of Habeas Corpus by a Person in State Custody are procedurally barred is **GRANTED**. After review of Grounds Two, Three and Four on the merits, those grounds of Lewis's Petition for Writ of Habeas Corpus by a Person in State Custody are **DENIED**.

**IT IS FURTHER ORDERED** that a certificate of appealability will not issue for the grounds on which the Court denies relief because reasonable jurists would not debate this Court's procedural rulings and because petitioner has not made a substantial showing of a denial of a constitutional right as required under 28 U.S.C. § 2253(c)(2). See Slack v. McDaniel, 529 U.S. 473, 484 (2000).

**BY THE COURT:**

**/s/ Jan E. DuBois**
**JAN E. DUBOIS, J.**