

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

FRANK FIASCKI

v.

JOHN PALAKOVICH, et al.

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CIVIL ACTION

NO. 09-CV-3528

ORDER

AND NOW, this 5th day of November, 2009, IT IS HEREBY ORDERED that:

1. The petition for a writ of *habeas corpus* is DENIED as untimely.
2. There is no cause to issue a certificate of appealability.
3. The Clerk of Court shall mark this case closed.

BY THE COURT:

J. William Ditter, Jr.
J. WILLIAM DITTER, JR., J.