

Chamberlain's PCRA proceedings because Chamberlain shares responsibility for that delay and because the Honorable Sheila Woods-Skipper, who is currently overseeing the PCRA proceedings, "seems to have taken a very active role in seeing that the case proceeds as expeditiously as possible", R&R at 12, and the Court agreeing that a stay is unwarranted because Chamberlain will have ample time file a habeas petition after the conclusion of the PCRA proceedings¹, it is hereby ORDERED that:

1. Judge Hey's report and recommendation (docket entry # 9) is APPROVED and ADOPTED;

2. Chamberlain's petition for a writ of habeas corpus is DENIED WITHOUT PREJUDICE to its reassertion after the conclusion of the PCRA proceedings; and

¹ As Judge Hey explains in her R&R, Chamberlain will have 197 days following his appeal to file a timely habeas petition. His conviction became final on June 26, 2006, when the time for seeking certiorari in the United States Supreme Court expired. He filed a timely PCRA petition 168 days later, tolling the habeas limitations period. At the conclusion of the PCRA appeal, he will have 197 days to file a timely habeas petition in federal court. See R&R at 14 n.9.

3. The Clerk of Court shall CLOSE this case statistically.

BY THE COURT:

/s/ Stewart Dalzell, J.