

2. The Petition for Writ of Habeas Corpus filed pursuant to 28 U.S.C. § 2254 is
DISMISSED with prejudice; and
3. There is no basis for the issuance of a certificate of appealability.

BY THE COURT:

/s/ Petrese B. Tucker

Hon. Petrese B. Tucker, C.J.

It appears that the Administrative Remedies Form that Bright completed on December 3, 2013 was in response to the Sentence Status Summary from November 21, 2013, which miscalculated his maximum sentence date. Bright did not petition the new date issued days later on November 26, 2013 in the Parole Board's Order to Recommit. Bright also failed to challenge this new date after having received the Notice of Board Decision letter from December 13, 2013. The Notice of Board Decision Letter noted, "If you wish to appeal this decision, you must file a request for administrative relief with the Board within thirty days of this Order." (*Id.*).

The Court agrees with Magistrate Judge Sitarski's conclusions in the Report and Recommendation. Bright failed to timely challenge the maximum sentence date as stated in the December 13, 2013 Notice of Board Decision letter, and consequently, failed to exhaust his administrative remedies. The Court also notes that Bright's arguments fail on the merits; the Parole Board correctly calculated his new maximum sentence date to April 26, 2020, given his parole violations and automatic forfeiture of credit for time spent at liberty on parole. See 61 Pa.C.S. § 6138.