

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

TRACY HECTOR MARRERO	:	CIVIL ACTION
Petitioner,	:	
	:	No. 14-6231
v.	:	
	:	
BRIAN COLEMAN et al.,	:	
Respondents.	:	

ORDER

This 4th day of November, 2015, upon careful and independent consideration of the petition for a writ of habeas corpus, and after review of the Report and Recommendation of United States Magistrate Judge Timothy R. Rice, it is **ORDERED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. Petitioner’s petition for a writ of habeas corpus is **STAYED** and held in **ABEYANCE** pending the conclusion of *Songster v. Sec. Pa. Dep’t of Corrections*, C.A. No. 12-3941, and any further appeal.
3. Petitioner shall return to this Court within thirty days following the final appellate decision in *Songster*. If Petitioner does not return to federal court within that time, this stay and abeyance order will be vacated and his petition will be denied without prejudice.
4. There is no probable cause to issue a certificate of appealability.

_____/s/ Gerald Austin McHugh
United States District Court Judge