

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

<b>MICHAEL MCLAUGHLIN</b>	:	<b>CIVIL ACTION</b>
<i>Petitioner-pro se</i>	:	
	:	<b>NO. 16-3724</b>
<b>v.</b>	:	
	:	
<b>PENNSYLVANIA BOARD OF PROBATION AND PAROLE, et al.</b>	:	
<i>Respondents</i>	:	

**O R D E R**

**AND NOW**, this 6<sup>th</sup> day of January 2017, upon consideration of the petition for writ of *habeas corpus* filed by Petitioner Michael McLaughlin (“Petitioner”), [ECF 1], Petitioner’s *motion to stay and abey*, [ECF 5], the *Report and Recommendation* submitted by United States Magistrate Judge Elizabeth T. Hey, [ECF 15], Petitioner’s correspondence with the Court and his supplemental petition for writ of *habeas corpus*, [ECF 16-18, 20], and the record herein, it is hereby **ORDERED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;<sup>1</sup>
2. Petitioner’s *motion to stay and abey* is **GRANTED**;
3. The Clerk of Court is directed to place the petition for a writ of *habeas corpus* in **CIVIL SUSPENSE** until the conclusion of Petitioner’s state post-conviction proceedings;

<sup>1</sup> Petitioner filed the petition for writ of habeas corpus on July 7, 2016. [ECF 1]. On October 17, 2016, Petitioner filed his motion to stay, requesting that this case be held in abeyance pending the resolution of his state post-conviction proceedings. [ECF 5]. On December 22, 2016, the Magistrate Judge recommended that this case be stayed pending the resolution of Petitioner’s state post-conviction proceedings. [ECF 15 at 9]. On December 22, 2016, the same day the *Report and Recommendation* was docketed, three separate letters sent by Petitioner were also docketed. [ECF 16-18]. In all three letters, Petitioner requested that this case be held in abeyance pending the resolution of his state post-conviction proceedings. On December 27, 2016, Petitioner filed a supplemental petition for writ of *habeas corpus* in which he also requested that this case be held in abeyance pending the resolution of his state post-conviction proceedings. [ECF 20]. Neither Petitioner nor the District Attorney objected to the Magistrate Judge’s recommendation that this case be stayed.

4. Petitioner and the District Attorney shall notify the Court within thirty (30) days of the conclusion of the state post-conviction proceedings so the *habeas* petition may proceed in this court; and
5. Petitioner's motion to appoint counsel, [ECF 9], is **DENIED**, without prejudice.

**BY THE COURT:**

*/s/ Nitza I. Quiñones Alejandro*

**NITZA I. QUIÑONES ALEJANDRO**

*Judge, United States District Court*