

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

**EARL C. HANDFIELD, II,**  
Petitioner,

v.

**MARK GARMAN, et al.,**  
Respondents.

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**CIVIL ACTION NO. 17-CV-1634**

**ORDER**

**AND NOW**, this 20<sup>th</sup> day of February, 2020, in consideration of Petitioner Earl C. Handfield's Motion for Habeas Relief to Prevent a Grave Miscarriage of Justice under Rule 60(d)(1) (ECF No. 33); Amended 60(D)(1) Motion (ECF No. 38); Second Amended 60(D)(1) Motion (ECF No. 39); and Motion to Proceed *In Forma Pauperis* (ECF No. 35), it is

**ORDERED** that:

1. The Motion for Habeas Relief to Prevent a Grave Miscarriage of Justice under Rule 60(d)(1) (ECF No. 33), Amended 60(D)(1) Motion (ECF No. 38), and Second Amended 60(D)(1) Motion (ECF No. 39) are **DENIED** for the reasons set forth in the Court's Memorandum accompanying this Order.
2. The Motion to Proceed In Forma Pauperis (ECF No. 35) is **DENIED AS UNNECESSARY** since Handfield has already paid the \$5 filing fee for this case.
3. A Certificate of Appealability is **DENIED** pursuant to 28 U.S.C. § 2253(c).

**BY THE COURT:**

/s/ Jeffrey L. Schmehl  
**JEFFREY L. SCHMEHL, J.**