

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

**WILBERT EUGENE PROFFITT,
Petitioner,**

CIVIL ACTION

v.

**SEAN MARLER, Warden/Superintendent,
Respondent.**

NO. 18-705

ORDER

AND NOW, this 22nd day of January, 2019, upon consideration of *pro se* petitioner Wilbert Eugene Proffitt's Petition for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241 (Document No. 1, filed February 16, 2018), Motion for the Appointment of Counsel (Document No. 2, filed February 16, 2018), Motion for Injunctive Relief (Document No. 3, filed on May 16, 2018), Motion to Transfer (Document No. 10, filed on November 13, 2018), and the Government's Response to Defendant's Motion Filed Pursuant to 28 U.S.C. § 2241 (Document No. 8, filed November 6, 2018), for the reasons stated in the accompanying Memorandum dated January 22, 2019, **IT IS ORDERED** as follows:

1. *Pro se* petitioner's Petition for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241 is **DISMISSED WITH PREJUDICE**.¹
2. *Pro se* petitioner's Motion for the Appointment of Counsel is **DENIED**.
3. *Pro se* petitioner's Motion for Injunctive Relief is **DENIED**.

¹ A certificate of appealability is not required with respect to the Court's ruling in Paragraph One of this Order, which address petitioner's Habeas Corpus Petition Under 28 U.S.C. § 2241. Rulings with respect to motions under 28 U.S.C. § 2241 do not require a certificate of appealability as a prerequisite to filing a notice of appeal. *See Daley v. Fed. Bureau of Prisons*, 192 F. App'x 106, 108–109 (3d Cir. 2006).

4. *Pro se* petitioner's Motion to Transfer is **DENIED**.

BY THE COURT:

/s/ Hon. Jan E. DuBois

DuBOIS, JAN E., J.