

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

<p>OTIS WILKERSON Petitioner,</p> <p style="text-align:center">v.</p> <p>THOMAS MCGINLEY, Superintendent; THE DISTRICT ATTORNEY OF THE COUNTY OF PHILADELPHIA; and THE ATTORNEY GENERAL OF THE STATE OF PENNSYLVANIA Respondents.</p>	<p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p>	<p style="text-align:right">CIVIL ACTION NO. 18-2203</p>
---	--	--

ORDER

AND NOW, this 13th day of April 2020, upon consideration of: Petitioner's Amended Petition for Writ of Habeas Corpus (ECF No. 29); Respondents' Answer thereto (ECF No. 35); and, the Honorable Carol Sandra Moore Wells' Report and Recommendation (ECF No. 39), it is hereby ORDERED as follows:

- (1) The unopposed Report and Recommendation (ECF No. 39) is APPROVED and ADOPTED;
- (2) Petitioner's Amended Petition for Writ of Habeas Corpus (ECF No. 29) is GRANTED as provided for in the Report and Recommendation;
- (3) In accordance with the Report and Recommendation, the above-captioned matter is REMANDED to the Philadelphia Court of Common Pleas for further proceedings;
- (4) A Certificate of Appealability shall NOT ISSUE; and,
- (5) The Clerk of Court shall mark this matter CLOSED.

BY THE COURT:

/s/ C. Darnell Jones, II J