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

ALEC DEVON KREIDER, : CIVIL ACTION

Plaintiff, :

v. :

:

NO. 13-3330

:

VINCENT MOONEY, et al. :

**Defendants.** :

## ORDER

**AND NOW**, this 10<sup>th</sup> day of October, 2013, upon careful and independent consideration of the petition for a writ of habeas corpus (Doc. No. 1),<sup>1</sup> and after review of the Report and Recommendation of United States Magistrate Judge Elizabeth T. Hey (Doc. No. 9),<sup>2</sup> IT IS ORDERED that:

- 1. The Report and Recommendation is APPROVED and ADOPTED;
- 2. The petition for a writ of habeas corpus is stayed until the conclusion of the state appellate proceedings; and
- 3. Petitioner and respondents shall notify the court within thirty (30) days of the conclusion of the state proceedings so that the habeas petition may proceed in this court.

The Clerk of the Court is directed to place this case in suspense pending the outcome of

<sup>&</sup>lt;sup>1</sup> Petitioner's letters dated 8/31/13 and 7/27/13 (Docs. No. 7 and 8) were also considered in my review.

<sup>&</sup>lt;sup>2</sup> Respondents filed no objections to this Report and Recommendation.

state appellate proceeding	ZS.
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BY THE COURT:

/s/Lawrence F. Stengel
LAWRENCE F. STENGEL, J.