

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

RUSTY LEE BRENSINGER,
Petitioner,

CIVIL ACTION

v.

TREVOR WINGARD, Superintendent SCI-
Somerset,
THE DISTRICT ATTORNEY OF THE
COUNTY OF LEHIGH, and
THE ATTORNEY GENERAL OF THE
STATE OF PENNSYLVANIA,
Respondents.

NO. 16-1074

ORDER

AND NOW, this 27th day of June, 2016, upon consideration of Petition for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254 filed by petitioner, Rusty Lee Brensinger, the record in this case, the Report and Recommendation of United States Magistrate Judge Jacob P. Hart dated June 6, 2016, no objections having been filed, and the Commonwealth defendants having stated in their response that they do not oppose the recommended stay and abeyance of this case, **IT IS ORDERED** as follows:

1. The Report and Recommendation of United States Magistrate Judge Jacob P. Hart dated June 6, 2016, is **APPROVED** and **ADOPTED**;
2. The case is **STAYED** and **PLACED IN ABEYANCE** pending final resolution of petitioner's pending Post-Conviction Relief Act petition in state court;
3. Petitioner and respondents shall notify the Court within thirty (30) days of the final resolution of petitioner's pending Post-Conviction Relief Act petition in state court.

BY THE COURT:

/s/ **Hon. Jan E. DuBois**

DuBOIS, JAN E., J.