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

LEONID ZELDICH,

Petitioner.

v.

CIVIL ACTION NO. 17-1900

PA BOARD OF PAROLE & PROBATION, et al.,

Respondent.

ORDER

AND NOW, this 1st day of December, 2017, upon consideration of Petitioner's Motion to Stay Counseled Petition for Writ of Habeas Corpus by a Person in State Custody Pursuant to 28 U.S.C. § 2254 Pending Resolution of PCRA Proceedings in State Court (Docket No. 11), Respondent's Reply to Petitioner's Request for Stay of Proceedings (Docket No. 13), and after review of the Report and Recommendation ("R&R") of the United States Magistrate Judge Henry S. Perkin dated October 25, 2017, it is hereby **ORDERED** as follows:

- 1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
- Petitioner's Motion to Stay Petition for Writ of Habeas Corpus (Docket No. 11) is GRANTED;
- 3. The Petition for a Writ of Habeas Corpus is **STAYED** and held in **ABEYANCE** until the conclusion of Petitioner's state appellate proceedings;
- 4. Petitioner shall return to federal court within thirty (30) days following the conclusion of his state court proceedings. If Petitioner does not return to federal court within thirty (30) days following the conclusion of his state court proceedings, this stay and abeyance order is vacated and the Petition may be dismissed; and

5.	There	is no	probable	cause	to issue a	certificate	of ap	pealability.

BY THE COURT:

/s/ Jeffrey L. Schmehl
Jeffrey L. Schmehl, J.