

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

DANIEL ROY WITUCKI, SR.,	:	Civil No. 1:04-cv-0169
	:	
Petitioner,	:	
	:	
v.	:	
	:	
SUPERINTENDENT EDWARD J. KLEM, ATTORNEY GENERAL OF THE STATE OF PENNSYLVANIA, and JOHN F. COWLEY,	:	
	:	
Respondents.	:	Judge Sylvia H. Rambo

ORDER

AND NOW, this 5th day of December, 2017, **IT IS HEREBY**

ORDERED as follows:

- 1) The motion for relief from judgment pursuant to Federal Rule of Civil Procedure 60(b)(6) is **DENIED**.
- 2) This court declines to issue a certificate of appealability as any appeal from this order is deemed frivolous for the reasons stated in the accompanying memorandum.
- 3) The Clerk of Court shall close this file.

s/Sylvia H. Rambo
SYLVIA H. RAMBO
 United States District Judge