

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

CARL D. MCWILLIAMS,
Petitioner

v.

JOSEPH MAZURKIEWICZ, *et al.*,
Respondents

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CIVIL NO. 1:11-CV-1786

O R D E R

AND NOW, this 10th day of May, 2012, upon consideration of the Report and Recommendation ("R&R") (Doc. 16) of Magistrate Judge Carlson, to which no objections were filed, and upon independent review of the record, the court finds no error in the R&R and concludes that the R&R should be adopted. Accordingly, it is ORDERED that:

1. The R&R (Doc. 16) is adopted.
2. Petitioner's motion to stay proceedings (Doc. 14) is GRANTED. This matter is STAYED and HELD IN ABEYANCE, pending completion of the state PCRA litigation, and without prejudice to Respondents later asserting any available statute of limitations defenses in response to the petition, after the stay is vacated.
3. The parties are directed to provide status reports concerning the progress of the state PCRA litigation every 90 days.

4. This case is remanded to the Magistrate Judge for further proceedings, including a report and recommendation on dispositive motions.

/s/ William W. Caldwell
William W. Caldwell
United States District Judge