Parrish v. Wetzel et al Doc. 28

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

MICHAEL JOHN PARRISH, : CIVIL ACTION NO: 1:14-CV-00966

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Petitioner : (Chief Judge Conner)

:

JOHN E. WETZEL, Secretary, : THIS IS A CAPITAL CASE

Pennsylvania Department of

v.

Corrections; ROBERT GILMORE, :

Superintendent of the State :

Correctional Institution at Greene; :

and STEVEN GLUNT,

Superintendent of the State : Correctional Institution at :

Rockview, :

:

Respondents :

ORDER

AND NOW, this 28th day of May, 2015, for the reasons set forth in the accompanying memorandum of this date, it is hereby ORDERED that:

- 1. Petitioner's motion for leave to file a petition for writ of habeas corpus in excess of the page limitation (Doc. 17) is GRANTED. The petition for writ of habeas corpus (Doc. 19) is accepted for filing.
- 2. Petitioner's motion to stay the federal proceedings to allow petitioner's counsel to expeditiously exhaust federal claims for relief in state court (Doc. 20) is DENIED.
- 3. The petition for writ of habeas corpus (Doc. 19) is DISMISSED without prejudice.

- 4. Petitioner's motion to produce state court record (Doc. 15) is DENIED.
- 5. The Clerk of Court shall CLOSE this case.
- 6. There is no basis for the issuance of a certificate of appealability. See $28 \text{ U.S.C.} \ \S \ 2253(c)$.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania