

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

<b>MARCELO RIVERA,</b>	:	<b>CIVIL NO. 1:15-CV-1011</b>
	:	
<b>Petitioner</b>	:	<b>(Chief Judge Conner)</b>
	:	
<b>v.</b>	:	
	:	
<b>SUPERINTENDENT JAMEY LUTHER, THE ATTORNEY GENERAL OF THE STATE OF PENNSYLVANIA,</b>	:	
	:	
<b>Respondents</b>	:	

**ORDER**

AND NOW, this 13th day of July, 2015, upon consideration of the petition for writ of habeas corpus (Doc. 1), and in accordance with the court’s memorandum of the same date, it is hereby ORDERED that:

1. The petition for writ of habeas corpus (Doc. 1) pursuant to 28 U.S.C. § 2254 is DENIED as time-barred by the statute of limitations. See 28 U.S.C. § 2244(d).
2. There is no basis for the issuance of a certificate of appealability. See 28 U.S.C. § 2253(c).
3. The motion to appoint counsel (Doc. 10) is DENIED.
4. The motion for leave to proceed *in forma pauperis* (Doc. 11) is DENIED as petitioner has paid the requisite filing fee.
5. The Clerk of Court is directed to CLOSE this case.

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