

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

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|------------------------------------------|---|-------------------------------------------|
| TOAN NGUYEN, | : | |
| Petitioner | : | CIVIL ACTION NO. 3:13-838 |
| v. | : | (MANNION, D.J.) (SCHWAB, M.J.) |
| ATTORNEY GENERAL ERIC HOLDER, | : | |
| Respondent | : | |

ORDER

For the reasons stated in the foregoing memorandum issued this same day **IT IS HEREBY ORDERED** that:

- (1) Judge Schwab’s report and recommendation, (Doc. No. [21](#)), is **ADOPTED IN FULL**.
- (2) The petitioner’s petition for writ of habeas corpus, (Doc. No. [1](#)), is **DISMISSED** as moot.
- (3) Pursuant to [28 U.S.C. §2253\(c\)\(2\)](#), the court declines to issue a certificate of appealability.
- (4) The clerk is directed to close this case.

s/Malachy E. Mannion
MALACHY E. MANNION
United States District Judge

Date: October 22, 2013

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