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

JAVIER GUTIERREZ-ZAVALA,

:

Petitioner

CIVIL NO. 3:CV-17-1858

CRAIG LOWE,

v.

(Judge Conaboy)

Respondent

<u>ORDER</u>

AND NOW, THEREFORE, THIS (© DAY OF FEBRUARY, 2018, in accordance with the accompanying Memorandum, IT IS HEREBY ORDERED THAT:

- The petition for writ of habeas corpus is **DISMISSED** as moot.
- 2. The Clerk of Court is directed to CLOSE the case.
- 3. Based on the Court's determination, there is no basis for the issuance of a Certificate of Appealability.

FILED

FEB 1 6 2018

RICHARD P. CONABOY

United States District Judge