

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

BILLY LEE BACON,	:	
	:	
Petitioner	:	CIVIL ACTION NO. 3:18-0059
	:	
v.	:	(Judge Mannion)
	:	
JOHN SOMMERS,	:	
	:	
Respondent	:	

ORDER

For the reasons set forth in the Memorandum of this date, **IT IS**

HEREBY ORDERED THAT:

1. Respondent's motion to dismiss (Doc. [22](#)) is **GRANTED**.
2. The petition for writ of habeas corpus, (Doc. [1](#)) is **DISMISSED** without prejudice as premature.
3. The Clerk of Court shall **CLOSE** this case.
4. There is no probable cause to issue a certificate of appealability.

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

Dated: March 18, 2019

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