

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

GEORGE GREGORY ELLIOTT,)	
)	
Petitioner,)	Civil Action No. 13-142 Erie
)	
v.)	Chief Judge Sean J. McLaughlin
)	Magistrate Judge Susan Paradise Baxter
JOHN E. WETZEL, <u>et al.</u>,)	
)	
Respondents.)	

ORDER

AND NOW, this **16th day of August, 2013**, upon consideration of the fact that Petitioner is currently exhausting his state court remedies with respect to his claim that his judgment of sentence is unconstitutional under Miller v. Alabama, — U.S. — , 132 S.Ct. 2455 (2012), and that Respondents have advised the Court that they do not object to this case being stayed while the Petitioner exhausts his state court remedies [see ECF No. 10], it is **HEREBY ORDERED** that:

- (1) this case is **STAYED** and **ADMINISTRATIVELY CLOSED** pending the exhaustion of Petitioner's remedies in state court; and,
- (2) within 30 days of the completion of the state court proceeding, Petitioner's counsel shall file a motion with this Court in which he requests that the stay in this case be lifted and advises the Court of the outcome of the state court proceeding.

/s/ Sean J. McLaughlin
Sean J. McLaughlin
Chief United States District Court Judge
Western District of Pennsylvania