

EXHIBIT "A"

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 18-2284

Peter B. Rojas,
Appellant

v.

Superintendent Fayette SCI, et al

(E.D. Pa. No. 5-17-cv-03488)

SUR PETITION FOR REHEARING

Present: SMITH Chief Judge, McKEE, AMBRO, CHAGARES, JORDAN,
HARDIMAN, GREENAWAY, JR., VANASKIE, SHWARTZ, KRAUSE, RESTREPO,
BIBAS and PORTER, Circuit Judges

The petition for rehearing filed by appellant in the above-entitled case having been submitted to the judges who participated in the decision of this Court and to all the other available circuit judges of the circuit in regular active service, and no judge who concurred in the decision having asked for rehearing, and a majority of the judges of the

circuit in regular service not having voted for rehearing, the petition for rehearing by the panel and the Court en banc, is denied.

BY THE COURT,

s/ Theodore A. McKee
Circuit Judge

Dated: November 19, 2018

Lmr/cc: Peter B. Rojas

Christine F. Murphy

Re: Peter Rojas v. Superintendent Fayette SCI, et al.
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ORDER

Rojas' request for a certificate of appealability is denied because he has not "made a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2). Jurists of reason would agree, without debate, with the District Court that all of Rojas' claims either lack merit, are procedurally barred, or are non-cognizable on habeas review. See Slack v. McDaniel, 529 U.S. 473, 484 (2000).

By the Court,

s/ Theodore A. McKee
Circuit Judge

Dated: October 15, 2018
CJG/cc: Peter B. Rojas
Christine F. Murphy, Esq.



A True Copy:

Patricia S. Dodszuweit

Patricia S. Dodszuweit, Clerk
Certified Order Issued in Lieu of Mandate

ALD-003

October 4, 2018

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

C.A. No. 18-2284

PETER B. ROJAS, Appellant

VS.

SUPERINTENDENT FAYETTE SCI, ET AL.

(E.D. Pa. Civ. No. 5:17-cv-03488)

Present: MCKEE, SHWARTZ and BIBAS, Circuit Judges

Submitted are:

- 1) Appellant's notice of appeal, which may be construed as a request for a certificate of appealability under 28 U.S.C. § 2253(c)(1);
- 2) Appellees' response;
- 3) Appellant's supplement to his request for a certificate of appealability; and
- 4) Appellant's second supplement to his request for a certificate of appealability

in the above-captioned case.

Respectfully,

Clerk

(continued)