



2006 Decisions

Opinions of the United
States Court of Appeals
for the Third Circuit

8-21-2006

Michael v. Horn

Follow this and additional works at: https://digitalcommons.law.villanova.edu/thirdcircuit_2006

Recommended Citation

"Michael v. Horn" (2006). *2006 Decisions*. 505.

https://digitalcommons.law.villanova.edu/thirdcircuit_2006/505

This decision is brought to you for free and open access by the Opinions of the United States Court of Appeals for the Third Circuit at Villanova University Charles Widger School of Law Digital Repository. It has been accepted for inclusion in 2006 Decisions by an authorized administrator of Villanova University Charles Widger School of Law Digital Repository.

PRECEDENTIAL

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 04-9002

HUBERT L. MICHAEL,

Appellant

v.

MARTIN HORN, Commissioner, Pennsylvania Department of
Corrections; *DAVID DIGUGLIELMO, Superintendent of the State
Correctional Institution at Graterford; JOSEPH P. MAZURKIEWICZ,
Superintendent of the State Correctional Institution at Rockview

* (Amended – See Clerk’s Order dated 1/6/05)

Appeal from the United States District Court
for the Middle District of Pennsylvania
(D.C. Civil Action No. 96-cv-01554)
District Judge: Honorable Thomas I. Vanaskie

Argued January 12, 2006

Before: AMBRO, GREENBERG and NYGAARD, Circuit Judges.

(Opinion filed August 18, 2006)

ORDER AMENDING PUBLISHED OPINION

GREENBERG, *Circuit Judge*

IT IS NOW ORDERED that the published Opinion in the above case filed August 18, 2006, be amended as follows:

On page 31, line 7, replace the word “is” with “in”, so that the sentence will read: “The court started its opinion dismissing the petition by indicating that “[a]t issue in”

On page 32, line 14, replace the word “and” with “an”, so that the sentence will read: “As did the death-sentenced inmate in Comer [v. Stewart, 230 F. Supp 2d 1016 (D. Ariz. 2002)], Mr. Michael ‘has made a competent and free choice, which is merely an example”

On page 40, line 10, replace the word “give” with “given”, so that the sentence will read: “That circumstance has given rise to much litigation”

By the Court,
/s/ Morton I. Greenberg
Circuit Judge

Dated: August 21, 2006