

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

UNITED STATES OF AMERICA : CRIMINAL ACTION
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DOUGLAS EDWARDS : NO. 02-662

MEMORANDUM

McLaughlin, J.

April 23, 2014

The defendant was convicted by a jury of possession of a firearm as a convicted felon. His conviction and sentence were affirmed by the United States Court of Appeals for the Third Circuit. The defendant has filed a Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Prison. The Court appointed counsel to represent the defendant. At a hearing held on the motion, counsel for the defendant withdrew all claims in the motion except the claim for ineffective assistance of counsel in his counsel's failure to call three witnesses: Sharon Thompson; Mattie Edwards; and Horace Edwards. The Court will deny the petition.

I. Factual Background

Following is a brief summary of the testimony from the original trial. On March 23, 1999, Douglas Edwards was involved in an altercation with his former girlfriend, Dawn Matthews. Matthews, who had been waiting outside of the defendant's home in

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ORDER

AND NOW, this 23rd day of April, 2014, upon consideration of defendant's Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Prison (Docket #214), the government's response thereto, and after a hearing on January 23, 2013, IT IS HEREBY ORDERED that said motion is DENIED for the reasons stated in a memorandum bearing today's date.

IT IS FURTHER ORDERED that a certificate of appealability will not issue because the defendant has not made a substantial showing of the denial of a constitutional right.

BY THE COURT:

/s/ Mary A. McLaughlin_____
MARY A. McLAUGHLIN, J.