

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
EASTERN DIVISION**

KEITH LANIER
Reg. #32552-044

PETITIONER

VS.

2:08CV000114 WRW/BD

T.C. OUTLAW, Warden,
FCC-Forrest City, Arkansas

RESPONDENT

ORDER

The Court has received the Recommended Disposition from Magistrate Judge Beth Deere. After careful review of the recommendation, the timely objections received thereto, as well as a *de novo* review of the record, the Court concludes that the Recommended Disposition should be, and hereby is, approved and adopted as this Court's findings in all respects in its entirety.

Mr. Lanier's objections concede that, based on a recent ruling by the Eight Circuit, the relief he seeks is currently unavailable in this Circuit. But, Mr. Lanier wishes to preserve the matter for appeal purposes due to the ongoing Circuit split. Mr. Lanier's objections have been reviewed, and they are overruled, exception saved.

Keith Lanier's Petition for Writ of Habeas Corpus (#2) is DISMISSED with prejudice.

IT IS SO ORDERED this 1st day of February, 2010.

/s/Wm. R. Wilson, Jr.
UNITED STATES DISTRICT JUDGE