

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

BENJAMIN W. SMITH
Registration No. 11844-002

PETITIONER

v.

NO. 2:09CV00047 BSM/JTR

T.C. OUTLAW, Warden,
FCI Forrest City, Arkansas

RESPONDENT

ORDER

The court has reviewed the proposed findings and recommended disposition submitted by United States Magistrate Judge J. Thomas Ray and the filed objections. After carefully considering these documents and making a *de novo* review of the record in this case, the court concludes that the proposed findings and recommended disposition should be, and hereby are, approved and adopted in their entirety as this court's findings in all respects. Judgment will be entered accordingly.

IT IS THEREFORE ORDERED that:

- (1) Petitioner's habeas petition (Doc. No. 1) be DENIED, WITH PREJUDICE;
- and
- (2) Petitioner's motion for order (Doc. No. 3) be DENIED.

Dated this 16th day of December, 2009.



UNITED STATES DISTRICT JUDGE