

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

BOBBY OLLES,	)	
	)	
Petitioner,	)	<b>Case No. 2:11-CV-00109 JTK</b>
	)	
v.	)	
	)	
T C OUTLAW, Warden, FCI-Forrest City	)	
	)	
Respondent.	)	

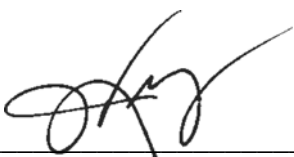
**ORDER DISMISSING PENDING MOTIONS**

BEFORE THE COURT is the Motion for Evidentiary Hearing (Doc. No. 35) and the Motion to Stay Proceedings (Doc. No. 36) filed on February 3, 2012, by Petitioner Bobby Olles. The parties have consented to the jurisdiction of a Magistrate Judge (Doc. No. 37).

Petitioner contends that he was incorrectly denied federal custody credit for 483 days that he spent in state custody because he was erroneously being held by the state. Given the mathematical nature of this case, it appears that the petition can be decided on the record, and no evidentiary hearing is necessary. Accordingly, Petitioner’s Motion for Evidentiary Hearing is DENIED. Should the determination be made at a later date that an evidentiary hearing is warranted, the Court will do so.

Petitioner was released on March 6, 2012, and it is unclear what purpose a stay would serve. Accordingly, Petitioner’s Motion to Stay Proceedings is also DENIED because it is now moot.

SO ORDERED this 7<sup>th</sup> day of May, 2012.

  
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 United States Magistrate Judge