

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

**EUGENE RODNEY RODEBAUGH**  
**Reg. # 18266-045**

**PETITIONER**

**v.**

**No. 2:13-cv-11-DPM-BD**


**ANTHONY HAYNES, Warden,**  
**FCI—Forrest City**

**RESPONDENT**

**ORDER**

Rodebaugh's petition for a writ of habeas corpus challenges the Bureau of Prisons' decision to assign him a Sex Offender Public Safety Factor based on conduct that occurred during his incarceration in Missouri. He has not objected to Magistrate Judge Beth M. Deere's recommendation, *Document No. 2*, that the Court dismiss the petition for lack of habeas corpus jurisdiction. Reviewing that recommendation for legal error and clear factual error, FED. R. CIV. P. 72(b) (1983 addition to Advisory Committee notes), the Court adopts it with two clarifications. First, the third citation on page five should be *Bazuaye v. Tombone*, 275 F.3d 44 (5th Cir. 2001). Second, all three cases on page five are unpublished opinions cited for their persuasive value only.

So Ordered.

  
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D.P. Marshall Jr.  
United States District Judge

13 March 2013