

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

CHARLES HUMES

PETITIONER

v.

NO. 2:15-cv-00109 JLH

C.V. RIVERA, Warden,
F.C.I. Forrest City, Arkansas

RESPONDENT

ORDER

The Court has received findings and a recommendation from United States Magistrate Judge Patricia S. Harris. After a careful review of the findings and recommendation, the timely objections received thereto, and a de novo review of the record, the Court concludes that the findings and recommendation should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects. The petition for writ of habeas corpus pursuant to 28 U.S.C. 2241 filed by petitioner Charles Humes is dismissed without prejudice so that he might petition the United States Court of Appeals for the Sixth Circuit for permission to file a second or successive petition under 28 U.S.C. 2255(h)(2) citing the United States Supreme Court's decision in Johnson v. United States, —U.S.—, 135 S.Ct. 2551, —L.E.3d—(2015). All requested relief is denied, and judgment will be entered for respondent C.V. Rivera.

IT IS SO ORDERED this 20th day of November, 2015.



UNITED STATES DISTRICT JUDGE