

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

**JAMES LEE WOTRING  
ADC #36989-044**

**PETITIONER**

**v.**

**CASE NO. 2:16-CV-00085 BSM**

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

**RESPONDENT**

**ORDER**

The recommended disposition (“RD”) submitted by United States Magistrate Judge Patricia S. Harris [Doc. No. 17] has been reviewed. No objections have been filed. After reviewing the record, the RD is adopted and Wotring’s petition is dismissed with prejudice. *See Lueth v. Beach*, 498 F.3d 795,797 n.3 (8th Cir. 2007) (finding failure to exhaust does not affect court’s ability to decide case on the merits).

IT IS SO ORDERED this 3rd day of November 2016.

  
UNITED STATES DISTRICT JUDGE