

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

**SERAFIN ESQUIVEL-PADILLA**  
**Reg #30296-074**

**PETITIONER**

v.

**Case No. 2:19-cv-00106-KGB**

**DEWAYNE HENDRIX, Warden**  
**Forrest City Federal Correctional Institution**

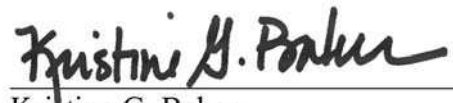
**RESPONDENTS**

**ORDER**

The Court has reviewed the Proposed Findings and Recommendations submitted by United States Magistrate Judge Joe J. Volpe (Dkt. No. 10). Petitioner Serafin Esquivel-Padilla has not responded, and the time to file a response has passed. After careful review, the Court concludes that the Proposed Findings and Recommendations should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects (Dkt. No. 10). The Court finds Mr. Esquivel-Padilla's petition for writ of habeas corpus without merit, grants Mr. Hendrix's motion to dismiss, and dismisses Mr. Esquivel-Padilla's petition (Dkt. Nos. 2, 6).

When entering a final order adverse to a habeas corpus petitioner, the Court must issue or deny a certificate of appealability. Rule 11 of the Rules Governing Section 2254 Cases. A certificate of appealability may issue only if a petitioner has made a substantial showing of the denial of a constitutional right. 28 U.S.C. § 2253(c)(1)-(2). In this case, there is no basis for this Court to issue a certificate of appealability. Accordingly, a certificate of appealability is denied.

So ordered this the 28th day of September, 2020.

A handwritten signature in black ink, reading "Kristine G. Baker". The signature is written in a cursive style with a prominent initial "K".

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Kristine G. Baker  
United States District Judge