

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

JOHN SMITH
Reg #10924-028

PLAINTIFF

v.

CASE NO. 2:23-CV-00003-BSM

JOHN YATES

DEFENDANT

ORDER

Having reviewed the record *de novo*, United States Magistrate Judge Joe J. Volpe's recommended disposition [Doc. No. 9] is adopted and John Smith's petition for habeas relief [Doc. No. 1] is dismissed without prejudice because he challenges the conditions of his confinement rather than the validity or length of his confinement.

IT IS SO ORDERED this 22nd day of May, 2023.


UNITED STATES DISTRICT JUDGE