

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

**SHERMAN FRANCIS LEE
ADC #092543**

PLAINTIFF

V.

4:08CV00627 JMM-JWC

LEROY BROWENLEE, et al

DEFENDANTS

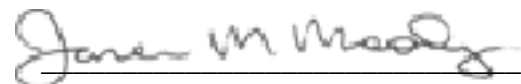
ORDER

Pending is the Plaintiff's Motion to Alter or Amend the Judgment. Plaintiff asks the Court to reconsider its Order adopting the Proposed Findings and Recommendations of United States Magistrate Judge Jerry W. Cavaneau on December 8, 2008.

The Court has considered Plaintiff's untimely objections to the Findings and Recommendations. However, Plaintiff does not add any factual or legal reasons to reverse the Court's previous Order. Plaintiff seeks a § 2254 writ of habeas corpus based upon his challenge of the actions of the Post Prison Transfer Board. This type of claim would necessarily result in a grant of parole for Plaintiff. Plaintiff must, therefore, exhaust his available state court remedies before the Court can consider this claim.

Plaintiff's Motion to Alter or Amend the Judgment (docket # 18) is DENIED.

IT IS SO ORDERED this 30th day of December 2008.



James M. Moody
United States District Judge