

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
LITTLE ROCK DIVISION**

ALBERTA ROSE JONES

PETITIONER

v.

CASE NO. 4:11cv00305 BSM/JTR

UNITED STATES OF AMERICA

RESPONDENT

ORDER

The proposed findings and recommended disposition submitted by United States Magistrate Judge J. Thomas Ray have been reviewed. No objections have been filed. After careful consideration, it is concluded that the proposed findings and recommended disposition should be, and hereby are, approved and adopted in their entirety in all respects. Judgment will be entered accordingly.

IT IS THEREFORE ORDERED THAT:

1. This 28 U.S.C. § 2241 Petition for Writ of Habeas Corpus [Doc. No. 1] is DENIED, and this case is dismissed, without prejudice, pursuant to 28 U.S.C. § 2243 and Rule 4 of the Rules Governing § 2254 Cases in United States District Courts.
2. Petitioner's Motion for Hearing [Doc. No. 7] is DENIED as moot.
3. The criminal proceeding allegedly pending against petitioner in the Superior Court of California, County of Santa Clara, Palo Alto Division (Criminal Case No. B1152473), is not properly removable under 28 U.S.C. § 1441, § 1442, § 1442a or § 1443. Pursuant to 28 U.S.C. § 1447(c), the Clerk of this Court is directed to send a copy of this order to the Clerk of the Court, Superior Court of California, County of Santa Clara, Palo

Alto Division, 270 Grant Avenue, Palo Alto, California 94306.

4. A certificate of appealability is DENIED, as petitioner has not made a substantial showing of the denial of a constitutional right. 28 U.S.C. § 2253(c)(1)-(2); Rule 11(a), Rules Governing § 2254 Cases in United States District Courts.

DATED this 25th day of July, 2011.


UNITED STATES DISTRICT JUDGE