

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

**MARK ANTHONY PORTER
REG. #24334-009**

PETITIONER

v.

4:11CV00656-BRW

UNITED STATES OF AMERICA

RESPONDENT

ORDER

I have reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge J. Thomas Ray.¹ On October 6, 2011, Petitioner filed a Response agreeing with Judge Ray's findings and asking me to adopt them.² I conclude that the Proposed Findings and Recommended Disposition should be, and hereby are, approved and adopted in their entirety as my findings in all respects. Judgment will be entered accordingly.

Because this case is being dismissed, Petitioner's request that I appoint him counsel is moot.

Accordingly, this case is **DISMISSED, WITHOUT PREJUDICE.**

IT IS SO ORDERED this 7th day of October, 2011.

/s/Billy Roy Wilson
UNITED STATES DISTRICT JUDGE

¹ Doc. No. 2.

² Doc. No. 4.