

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION**

**JIMMY SHANE CANTRELL  
ADC #98730**

**PETITIONER**

**VS.**

**5:05CV00356 JMM/JTR**

**LARRY NORRIS, Director,  
Arkansas Department of Correction**

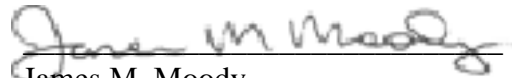
**RESPONDENT**

**ORDER**

On February 20, 2009 the Court entered an Order adopting the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge J. Thomas Ray. On March 2, 2009 the Petitioner filed a motion for reconsideration. (Docket # 129).

The Court has reviewed the Petitioner's pleadings and the relevant record and finds that the motion for reconsideration should be denied for the reasons set forth in the Findings and Recommended Disposition adopted by the Court on February 20, 2009. In addition, the Court finds the Petitioner's failure to seek permission to file a belated appeal, after his notice of appeal had been designated untimely, particularly fatal to Petitioner's claim that he has shown sufficient "cause and prejudice."

IT IS SO ORDERED this 31<sup>st</sup> day of March, 2009.



James M. Moody  
United States District Judge