

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

PAUL EMERY
ADC #109862

PETITIONER

VS.

5:06CV00293 JMM/JTR

RAY HOBBS, Director
Arkansas Department of Correction

RESPONDENT

ORDER

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge J. Thomas Ray and the filed objections. After carefully considering these documents and making a *de novo* review of the record in this case, the Court concludes that the Proposed Findings and Recommended Disposition should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects. Judgment will be entered accordingly.

IT IS THEREFORE ORDERED THAT the Petition for a Writ of Habeas Corpus, under 28 U.S.C. § 2254 (docket entry #11) is DENIED, and this case is DISMISSED, WITH PREJUDICE. IT IS FURTHER ORDERED THAT a Certificate of Appealability is DENIED pursuant to Rule 11(a) of the Rules Governing Section 2254 Cases.

Dated this 12 day of January, 2010.


UNITED STATES DISTRICT JUDGE