

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

VINCENT M. COOPER

PETITIONER

vs.

Civil Case No. 5:07CV00046 HLJ

LARRY NORRIS, Director,  
Arkansas Department of Correction

RESPONDENT

**ORDER**

Now before the court is a petition for writ of habeas corpus under 28 U.S.C. § 2254 by Vincent M. Cooper, an inmate of the Arkansas Department of Correction.<sup>1</sup> On February 28, 2008, the court recommended all of the grounds asserted in this petition, except the ineffective assistance of counsel claim in ground four and the sufficiency of the evidence claim in ground three, be dismissed with prejudice.<sup>2</sup> (DE # 32, Partial Report and Recommendations)

By separate Order, the court directed appointed counsel to confer with Petitioner and to file a brief within thirty (30) days

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<sup>1</sup>This court recently denied relief to Petitioner in a separate habeas corpus proceeding, *Cooper v. Norris*, No. 5:07CV00090 (E.D. Ark. Jan. 11, 2008), in which he challenged different convictions from those he challenges here. The Eighth Circuit Court of Appeals denied Petitioner's application for a certificate of appealability on March 10, 2008, *Cooper v. Norris*, No. 08-1290. Thereafter, the Eighth Circuit Court of Appeals denied Petitioner's petition for authorization to file a successive habeas application, *Cooper v. Norris*, No. 08-2521.

<sup>2</sup>The district judge approved and adopted the partial findings and recommendations. (DE #38, Order Adopting Partial Report and Recommendations)

clarifying claims three and four. The court also ordered Petitioner to set forth his position on the need for an evidentiary hearing and the evidence he would present at such hearing. The Respondent was directed to file a reply brief no later than thirty (30) days after Petitioner filed his brief.<sup>3</sup> (DE # 31, Order)

On August 25, 2008, Petitioner filed his brief. Respondent has not filed a reply. The court hereby directs Respondent to file a reply brief within thirty (30) days.

IT IS SO ORDERED this 25<sup>th</sup> day of November, 2009.

  
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UNITED STATES MAGISTRATE JUDGE

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<sup>3</sup>Petitioner's counsel subsequently filed a motion under seal for authorization of investigative services pursuant to 18 U.S.C. § 3006A(e). The court denied the motion without prejudice and directed him to file a brief within sixty (60) days. (DE # 40, Order)