

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

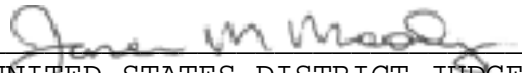
RESPONDENT

ORDER

The Court has reviewed the Proposed Findings and Recommended Disposition received from Magistrate Judge Henry L. Jones, Jr., and the objections filed in response¹, and has further reviewed the relevant record de novo. The Findings and Recommendations are adopted in their entirety as this Court's findings.

Accordingly, judgment shall be entered dismissing this petition in its entirety, with prejudice. All pending motions shall be denied.

IT IS SO ORDERED this 29th day of March, 2010.


UNITED STATES DISTRICT JUDGE

¹The Court notes that even if the implied bias standard were applied, the facts in this case do not rise to the "exceptional" or "extreme" level addressed by Justice O'Connor in *Smith v. Phillips*, 455 U.S. 209 (1981). The relationship between the questioned juror and the case is not such that "it is highly unlikely that the average person could remain impartial in his deliberations under the circumstances." *Sanders v. Norris*, 529 F. 3d 787, 792 (8th Cir. 2008).