

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

JOHN BRILEY

PETITIONER

v.

NO. 5:08CV00083 JMM

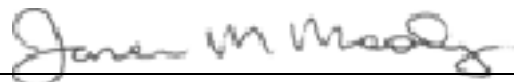
LARRY NORRIS, Director of the
Arkansas Department of Correction

RESPONDENT

ORDER

The Court has received findings and a recommendation from Magistrate Judge H. David Young. No objections have been filed. After a careful, de novo review of the record, the Court concludes that the findings and recommendation should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects. The second motion to dismiss filed by respondent Larry Norris ("Norris") is granted, see Document 20; his first motion to dismiss is denied as moot, see Document 9. The petition for writ of habeas corpus pursuant to 28 U.S.C. 2254 filed by petitioner John Briley is dismissed. Judgment will be entered for Norris.

IT IS SO ORDERED this 12 day of September, 2008.



UNITED STATES DISTRICT JUDGE