

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

WILLIE LEE DAILEY III,
ADC #110112
a/k/a MALIK SHAHEED X

PETITIONER

VS.

5:09CV00013 WRW/JTR

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 #1) is DISMISSED, WITHOUT PREJUDICE, so that Petitioner may seek authorization from the Eighth Circuit Court of Appeals, pursuant to 28 U.S.C. § 2244(b)(3)(A), to file a successive habeas petition.

DATED this 26th day of February, 2009.

/s/Wm. R. Wilson, Jr.
UNITED STATES DISTRICT JUDGE