

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

**WALTER CURTIS MOLES
REG. #19886-009
ADC#119166**

PETITIONER

VS.

5:09CV00073 JMM/JTR

**LARRY NORRIS, Director
Arkansas Department of Correction**

RESPONDENT

ORDER

The Court has reviewed the Proposed Findings and Recommended Disposition (#30) submitted by United States Magistrate Judge J. Thomas Ray On November 15, 2010, which recommended that the petition for a Writ of Habeas Corpus (#2) be denied and that the case be dismissed with prejudice, and the Court has reviewed the filed objections.

In those objections Petitioner's sought to file a supplement petition (#32) and to amend his petition (#34) to add an additional First Amendment claim and to have his § 2254 petition construed as a Writ of Mandamus.

The Court held the Magistrate Judge's November 15, 2010 Proposed Findings and Recommendation in abeyance and referred Petitioner's requests back to the Magistrate Judge for his consideration. On January 13, 2011, the Magistrate Judge

filed his Sealed Proposed Findings and Recommended Partial Disposition which denied Petitioner's requests (#42). Petitioner has not filed any objections to these Proposed Findings and Recommended Partial Disposition.

After a *de novo* view, the Proposed Findings and Recommended Disposition of November 15, 2010 and the Proposed Findings and Partial Recommended Disposition of January 13, 2011, 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 Petitioner's "Motion for Leave of Court to File Second Supplement and/or Amended and Corrected Reply and/or Motion to Construe Petition as Writ of Mandamus" (docket entry #32) and "Motion for Leave to Supplement Previously Filed Amendment and/or Motion to Amend" (docket entry #34) are DENIED and the Petition for a Writ of Habeas Corpus (docket entry #2) is DENIED and the case DISMISSED, WITH PREJUDICE.

Judgement will be entered accordingly.

Dated this 2 day of February, 2011.


UNITED STATES DISTRICT JUDGE