

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

**JOSE ENRIQUE MENDIOLA
ADC# 130653**

PETITIONER

v.

CASE NO. 5:09CV00226 BSM

**RAY HOBBS, Director
Arkansas Department of Correction et al.**

RESPONDENT

ORDER

The proposed findings and recommended disposition submitted by United States Magistrate Judge H. David Young [Doc. No. 20] and the filed objections [Doc. No. 23] have been reviewed. After carefully considering these documents and making a *de novo* review of the record, it is concluded that the proposed findings and recommended disposition should be, and hereby are, approved and adopted in their entirety in all respects.

When entering a final order adverse to a petitioner, a certificate of appealability must be issued or denied. *See* Rule 11 of the Rules Governing Section 2254 and 2255 Cases in the United States District Court. A certificate of appealability may issue only if a petitioner has made a substantial showing of the denial of a constitutional right. 28 U.S.C. § 2253(c)(1)-(2). Johnson has not provided a basis to issue a certificate of appealability, therefore, his certificate of appealability is denied. An appropriate judgment shall accompany this order.

ORDERED this 22nd day of December 2011.


UNITED STATES DISTRICT JUDGE