

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

**LEE MADDEN, JR.  
ADC #136534**

**PETITIONER**

**v.**

**CASE NO.: 5:09CV00310-SWW-BD**

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

**RESPONDENT**

**ORDER**

The Court has received the Recommended Disposition from Magistrate Judge Beth Deere. The parties have not filed any objections. After careful review of the recommendation, as well as a *de novo* review of the record, the Court concludes that the Recommended Disposition should be, and hereby is, approved and adopted as this Court's findings in all respects in its entirety.

IT IS THEREFORE ORDERED that Lee Madden, Jr.'s Petition for Writ of Habeas Corpus (#2) is DISMISSED without prejudice pursuant to Rule 4 of the Rules Governing Section 2254 Cases for lack of jurisdiction, and his Motion for Leave to Proceed *In Forma Pauperis* (#1) is DENIED.

IT IS SO ORDERED THIS 12<sup>TH</sup> DAY OF NOVEMBER, 2009.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE