

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

LEE CHARLES MILLSAP, JR.
ADC #113121

PETITIONER

VS.

5:09CV00311- JMM/JTR

LARRY NORRIS, Director
Arkansas Department of Correction

RESPONDENT

ORDER

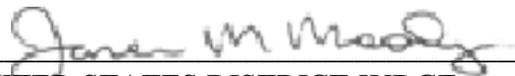
The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge J. Thomas Ray. No objections have been filed. After careful review, the Court concludes that the Proposed Findings and Recommended Disposition should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects. Judgment will be entered accordingly.

(1) Petitioner's Motion to Proceed *In Forma Pauperis* (docket entry #1) is DENIED, AS MOOT.

(2) The Petition for a Writ of Habeas Corpus, under 28 U.S.C. § 2254 (docket entry #2) is DISMISSED, WITHOUT PREJUDICE, so that Petitioner can seek authorization from the Eighth Circuit, pursuant to 28 U.S.C. § 2244(b)(3)(A), to file a successive habeas petition.

(3) All pending motions are dismissed as moot.

Dated this 9 day of November, 2009.


UNITED STATES DISTRICT JUDGE