

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

HOWARD WAYNE JONES

PETITIONER

v.

NO. 5:09CV00353 JMM

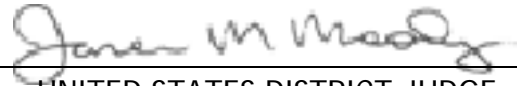
LARRY NORRIS, Director of the
Arkansas Department of Correction

RESPONDENT

ORDER

The Court has received findings and a recommendation from Magistrate Judge H. David Young. After a careful review of the findings and recommendation, the timely objections received thereto, and a de novo review of the record, the Court concludes that the findings and recommendation should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects. The motion to dismiss filed by respondent Larry Norris ("Norris") is granted. See Document 6. The petition for writ of habeas corpus pursuant to 28 U.S.C. 2254 filed by petitioner Howard Wayne Jones is denied because he failed to obtain the approval of the United States Court of Appeals for the Eighth Circuit before filing his petition. All requested relief is denied, and judgment will be entered for Norris.

IT IS SO ORDERED this 25 day of January, 2010.

A handwritten signature in cursive script, appearing to read "James M. Madry", is written over a horizontal line.

UNITED STATES DISTRICT JUDGE