

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

**JOHNNIE RAY HAWTHONE**

**PETITIONER**

**v.**

**CASE NO. 5:10cv00185 BSM/JTR**

**STATE OF ARKANSAS;  
RAY HOBBS, Interim Director,  
Arkansas Department of Correction**

**RESPONDENTS**

**ORDER**

The Court has reviewed the proposed findings and recommended disposition submitted by United States Magistrate Judge J. Thomas Ray and the filed objections. 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. Judgment will be entered accordingly.

IT IS THEREFORE ORDERED that:

1. Petitioner's motion to proceed *in forma pauperis* [Doc. No. 1] is DENIED, AS MOOT.
2. The petition for a writ of habeas corpus, under 28 U.S.C. § 2254 [Doc. No. 2], is DISMISSED, WITHOUT PREJUDICE, so that petitioner may seek authorization from the Eighth Circuit, pursuant to 28 U.S.C. § 2244(b)(3)(A), to file a successive habeas petition.
3. All other motions are denied as moot.

Dated this 15th day of September, 2010.

  

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UNITED STATES DISTRICT JUDGE