

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

**KELVIN LYNN DAVIS, JR.**  
**ADC #601731**

**PETITIONER**

**VS.**

**CASE NO. 5:11CV00074 SWW/BD**

**RAY HOBBS, Director,**  
**Arkansas Department of Correction**

**RESPONDENT**

**ORDER**

The Court has received the Recommended Disposition (“Recommendation”) from Magistrate Judge Beth Deere, and has reviewed *de novo* those portions of the Recommendation to which Mr. Davis objected. This Court adopts the Recommendation as its own. Mr. Davis’s Petition for Writ of Habeas Corpus (docket entry #2) is dismissed, with prejudice.

When entering a final order adverse to a habeas corpus petitioner, the Court must issue or deny a certificate of appealability. Rule 11, Rules Governing Section 2254 Cases. 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). In this case, Mr. Davis has not provided a basis for this Court to issue a certificate of appealability. Accordingly, a certificate of appealability is denied.

IT IS SO ORDERED, this 28<sup>th</sup> day of February, 2012.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE