

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

JARVIS RHODES,
ADC #77001

PETITIONER

v.

No. 5:11CV00156 JLH-JJV

RAY HOBBS, Director,
Arkansas Department of Correction

RESPONDENT

ORDER

United States Magistrate Judge Joe J. Volpe has submitted Proposed Findings and Recommended in which he recommends that this petition be dismissed without prejudice so that the petitioner, Jarvis Rhodes, can obtain authorization from the United States Court of Appeals for a second or successive petition. Rhodes has responded and also requested that the Court dismiss this petition so that he can obtain authorization from the appropriate court of appeals. Without objection, the petition of Jarvis Rhodes for a writ of habeas corpus is **DISMISSED WITHOUT PREJUDICE** so that Rhodes can seek authorization from the United States Court of Appeals for the Eighth Circuit to file a second or successive petition.

IT IS SO ORDERED this 17th day of April, 2012.



J. LEON HOLMES
UNITED STATES DISTRICT JUDGE