

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

LARRY R. FERGUSON,
ADC#130598

PETITIONER

v.

5:11-cv-00267-SWW-JJV

RAY HOBBS, Director,
Arkansas Department of Correction

RESPONDENT

ORDER

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge Joe J. Volpe and Plaintiff's objections. After carefully considering the objections and making a *de novo* review of the record, 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. Additionally, the Court finds that Mr. Ferguson cannot make the requisite showing that reasonable jurists could debate whether this Court is correct in its procedural ruling. *Slack v. McDaniel*, 529 U.S. 473, 484 (2000). Accordingly, no certificate of appealability will issue.

IT IS, THEREFORE, ORDERED that:

1. Mr. Ferguson's Petition (Doc. No. 2) is DISMISSED with prejudice.
2. A certificate of appealability is DENIED pursuant to Rule 11(a) of the Rules Governing Section 2254 Cases

SO ORDERED this 14th day of June, 2012.

/s/Susan Webber Wright
UNITED STATES DISTRICT JUDGE