

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

JAMES CHARLES FUDGE,
ADC #078875

PETITIONER

v.

No. 5:11CV00297 JLH-JJV

RAY HOBBS, Director,
Arkansas Department of Correction

RESPONDENT

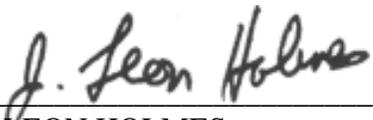
ORDER

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.

IT IS, THEREFORE, ORDERED that:

1. Respondent's Motion to Dismiss is GRANTED. Document #8.
2. Fudge's § 2254 Petition is DISMISSED WITHOUT PREJUDICE and the requested relief is DENIED. Document #2.
3. All other pending motions are denied as moot.

IT IS SO ORDERED this 21st day of February, 2012.



J. LEON HOLMES
UNITED STATES DISTRICT JUDGE