

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

SHELDRIK J. HERROD

PETITIONER

v.

NO. 5:12CV00073 JLH/ HDY

RAY HOBBS, Director of the
Arkansas Department of Correction

RESPONDENT

ORDER

Petitioner Sheldrick J. Herrod ("Herrod") commenced this case by filing a petition for writ of habeas corpus pursuant to 28 U.S.C. 2254. Respondent Ray Hobbs ("Hobbs") has now filed a motion to dismiss the petition. See Document 21. He maintains that Herrod's petition should be dismissed because it is a second or successive petition, and he did not obtain permission from the Court of Appeals before filing the petition. Before giving Hobbs' assertion serious consideration, the Court invites Herrod to file a response to the motion. He is given up to, and including, August 30, 2012, to file a response.

IT IS SO ORDERED this 31 day of July, 2012.



UNITED STATES MAGISTRATE JUDGE