

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

**JOHN JERMAINE SMITH
A.D.C. # 103015**

PETITIONER

v.

No. 5:12-cv-384-DPM-HDY

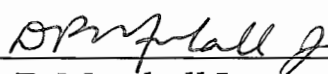
**RAY HOBBS, Director, Arkansas
Department of Correction**

RESPONDENT

ORDER

No one has objected to Magistrate Judge Young's proposed findings and recommendations on Smith's 12 October 2012 petition for a writ of *habeas corpus*. Document No. 4. The Court sees no clear error on the face of the record, or legal error, and adopts Judge Young's proposal. FED. R. CIV. P. 72(b) (Advisory Committee Notes 1983 Addition). Smith's petition is dismissed without prejudice for failure to pay the filing fee, failure to comply with Local Rule 5.5(c)(2), and failure to respond to the Court's Order. An *in forma pauperis* appeal taken from the Order and Judgment dismissing this action would be frivolous and not in good faith.

So Ordered.



D.P. Marshall Jr.
United States District Judge

19 December 2012