

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

JAMES EDWARD HURST
ADC #089797

PETITIONER

v.

Case No. 5:13-cv-000222-KGB-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 (Dkt. No. 16). No objections have been filed, and the time for filing objections has passed. After careful consideration, 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.

Pursuant to 28 U.S.C. § 2253 and Rule 11 of the Rules Governing Section 2554 Cases in the United States District Court, the Court must determine whether to issue a certificate of appealability in the final order. In § 2254 cases, a certificate of appealability may issue only if the applicant has made a substantial showing of the denial of a constitutional right. 28 U.S.C. § 2253(c)(1)-(2). The Court finds no issue on which Mr. Hurst has made a substantial showing of the denial of a constitutional right. The Court therefore denies the certificate of appealability.

The Court dismisses with prejudice Mr. Hurst's Petition (Dkt. No. 2). The Court denies the requested relief, and the Court denies as moot any pending motions.

SO ORDERED this the 30th day of April, 2014.



Kristine G. Baker
United States District Judge