

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

KENNETH RAY PITTS

PETITIONER

v.

CASE NO. 5:13CV00197 BSM

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

RESPONDENT

ORDER

The findings and a recommendation from United States Magistrate Judge H. David Young have been reviewed. No objections have been filed. After a careful consideration and a *de novo* review of the record, it is found that the findings and recommendation should be, and hereby are, approved and adopted in their entirety.

The motion to dismiss [Doc. No. 7] filed by respondent Ray Hobbs (“Hobbs”) is granted, and the petition for writ of habeas corpus pursuant to 28 U.S.C. 2254 filed by petitioner Kenneth Ray Pitts is dismissed. Judgment will be entered for Hobbs. In accordance with Rule 11(a) of the Rules Governing Section 2254 Cases In The United States District Courts, a certificate of appealability is denied.

IT IS SO ORDERED this 30th day of October 2013.



UNITED STATES DISTRICT JUDGE