

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

**DARNELL RUSHING,
ADC # 80025**

PETITIONER

v.

Case No. 5:13-cv-00306-KGB

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

RESPONDENT

ORDER

The Court has received the Proposed Findings and Recommendations from United States Magistrate Judge Jerome T. Kearney (Dkt. No. 9). After careful review of the findings and recommendations and the timely objections thereto, as well as a *de novo* review of the record, the Court concludes that the findings and recommendations should be, and are hereby, approved and adopted in their entirety as this Court's findings in all respects.

Accordingly, judgment shall be entered dismissing this case without prejudice. The Court will not issue a certificate of appealability because Petitioner Darnell Rushing has not made a substantial showing of the denial of a constitutional right. 28 U.S.C. § 2253(c)(1)-(2).

SO ORDERED this the 25th day of July, 2014.



Kristine G. Baker
United States District Judge