

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

MARTINOUS MOORE

PETITIONER

v.

CASE NO. 5:13CV00331 BSM

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

RESPONDENT

ORDER

The proposed findings and recommended disposition received from Magistrate Judge H. David Young have been reviewed, along with the filed objections. After careful consideration and a *de novo* review of the record, it is concluded that the proposed findings and recommended disposition should be, and hereby are, approved and adopted in their entirety in all respects.

Accordingly, Ray Hobbs's motion to dismiss [Doc. No. 8] is granted. Martinous Moore's petition is dismissed without prejudice so that he may seek permission from the Court of Appeals to file his petition. It will not be transferred to the Court of Appeals. It is further ordered that a certificate of appealability is denied. *See* Rule 11(a) of the Rules Governing Section 2254 Cases In The United States District Courts.

IT IS SO ORDERED this 19th day of February 2014.


UNITED STATES DISTRICT JUDGE