

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

**HUSTON L. BURKS**  
**ADC #87853**

**PETITIONER**

**v.**

**CASE NO: 5:13CV00390 BSM**

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

**RESPONDENT**

**ORDER**

The recommended disposition submitted by United States Magistrate Judge Jerome T. Kearney has been reviewed. After careful consideration of the objections, as well as a *de novo* review of the record, it is concluded that the recommended disposition should be, and hereby is, approved and adopted in its entirety in all respects.

The petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 filed by petitioner Hutson Burks is dismissed with prejudice. 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). As there is no issue on which petitioner has made a substantial showing of a denial of a constitutional right, a certificate of appealability is denied.

IT IS SO ORDERED this 22nd day of September 2014.

  
UNITED STATES DISTRICT JUDGE