

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

**JAMES EDWARD GREEN, JR.,
ADC #113001**

PETITIONER

v.

Case No. 5:14-cv-00009-KGB/HDY

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


RESPONDENT

ORDER

Before the Court is petitioner James Edward Green, Jr.'s motion for production of documents (Dkt. No. 47). A habeas petitioner is not entitled to discovery as a matter of course. *Harris v. Nelson*, 394 U.S. 286, 295 (1969). Pursuant to Rule 6 of the Rules Governing Section 2254 Cases, a judge may, for good cause, authorize discovery. Mr. Green has not shown good cause. Mr. Green requests apparently for the first time that the Court order production of these specific documents, after Magistrate Judge H. David Young filed his Findings and Recommendation (Dkt. No. 43). Although Mr. Green appears to have requested the documents from the Drew County Circuit Clerk and the Arkansas Department of Correction in October 2013, there is no evidence that he followed their directions on how to obtain the documents by contacting the state prosecutor's office, the sheriff's office, his prior attorney, or the originating source (*See* Dkt. No. 25, 12-13). Mr. Green claims that the documents that he requests pertain to the alleged violation of his right to protection against double jeopardy. Based upon an initial review of the record before it, the Court does not see how Mr. Green's double jeopardy argument would benefit from the requested documents. If the Court determines that the requested documents are necessary for the resolution of this matter based upon further review of the record,

the Findings and Recommendation, and any objections thereto filed by Mr. Green, the Court will direct a request for the documents from the appropriate source.

SO ORDERED this the 7th day of May, 2014.



KRISTINE G. BAKER
UNITED STATES DISTRICT JUDGE