

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

GARY W. GARDNER  
ADC #95674

PETITIONER

v.

NO. 5:14CV00131 JLH/BD

RAY HOBBS, Director,  
Arkansas Department of Correction

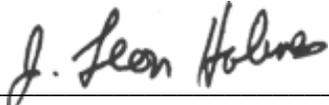
RESPONDENT

**ORDER**

The Court has reviewed the Recommended Disposition (“Recommendation”) filed by Magistrate Judge Beth Deere. In addition, the Court has considered Mr. Gardner’s objections to the Recommendation and has reviewed *de novo* those portions of the Recommendation to which Gary W. Gardner objects. After careful consideration, this Court adopts the Recommendation as its own. Gardner’s petition for writ of habeas corpus (docket entry #2) is denied and dismissed, with prejudice.

When entering a final order adverse to a habeas corpus petitioner, the Court must issue or deny a certificate of appealability. Rule 11 of the Rules Governing Section 2254 Cases. A certificate of appealability may issue only if a petitioner has made a substantial showing of the denial of a constitutional right. 28 U.S.C. § 2253(c)(1)-(2). In this case, there is no basis for this court to issue a certificate of appealability. Accordingly, a certificate of appealability is denied.

IT IS SO ORDERED this 3rd day of July, 2014.

  
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UNITED STATES DISTRICT JUDGE