

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

**JAMES GIRLEY
ADC #112981**

PETITIONER

VS.

CASE NO.: 5:15CV00074 JM/BD

**WENDY KELLEY, 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. Girley’s objections to the Recommendation and has reviewed *de novo* those portions of the record relevant to those objections.

After careful consideration, this Court adopts the Recommendation as its own. James Girley’s petition for writ of habeas corpus (docket entry #2) is denied and dismissed, without 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 19th day of August, 2015.


UNITED STATES DISTRICT JUDGE