

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

**SHAWN TREVELL RAINER
ADC #114199**

PETITIONER

v.

CASE NO. 5:15CV00153 BSM

**WENDY KELLEY, Director,
Arkansas Department of Correction**

RESPONDENT

ORDER

The proposed findings and recommendations (“recommendations”) submitted by United States Magistrate Judge Jerome T. Kearney have been reviewed. No objections have been filed. After careful consideration, the recommendations are hereby adopted in all respects.

IT IS THEREFORE ORDERED that:

1 Petitioner Shawn Rainer’s first, second, third, and fifth grounds for relief are denied.

2 Consistent with the instructions set forth in the recommendations, the parties are directed to submit further briefings with regards to Rainer’s fourth ground for relief within forty-five days of this order. No extensions of time will be given.

3 A certificate of appealability will not issue because Rainer has not made a substantial showing of the denial of a constitutional right. *See* 28 U.S.C. § 2253(c)

IT IS SO ORDERED this 14th day of October 2015.

Brian S Miller

UNITED STATES DISTRICT JUDGE