

**IN THE UNITED STATES DISTRICT COURT
FOR THE 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 (“RD”) submitted by United States Magistrate Judge Jerome T. Kearney, petitioner’s objections thereto [Doc. No. 18], and respondent’s response [Doc. No. 19] have been reviewed. After carefully considering these documents and a *de novo* review of the record, the RD are hereby adopted in all respects.

IT IS THEREFORE ORDERED that:

1 Petitioner’s writ of habeas corpus [Doc. No. 1] is denied with prejudice because, just as petitioner’s first, second, third, and fifth grounds for relief, see Doc. No. 11, petitioner’s fourth ground for relief is without merit.

2 A certificate of appealability may, however, issue on petitioner’s fourth ground for relief because he has made a substantial showing of a denial of a constitutional right. *See* 28 U.S.C. § 2253(c).

IT IS SO ORDERED this 2nd day of February 2016.


UNITED STATES DISTRICT JUDGE