

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

**RICKY LEE RUSHING  
ADC #065405**

**PETITIONER**

**v.**

**CASE NO. 5:15CV00204 BSM**

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

**RESPONDENT**

**ORDER**

The proposed findings and recommended disposition submitted by United States Magistrate Judge Joe J. Volpe have been reviewed. No objections have been filed. After careful consideration, the proposed findings and recommended disposition are hereby adopted in all respects.

IT IS THEREFORE ORDERED that Defendant Wendy Kelley's motion to dismiss [Doc. No. 11] is granted, and the petition [Doc. No. 1] is dismissed without prejudice.

DATED this 7th day of October 2015.

  
UNITED STATES DISTRICT JUDGE