

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

**SHANNON BOYLE
ADC #116113**

PETITIONER

VS.

CASE NO.: 5:15CV00290 SWW/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 Shannon Boyle’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. Shannon Boyle’s petition for writ of habeas corpus (docket entry #1) 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.¹

IT IS SO ORDERED, this 8th day of October 2015.

/s/Susan Webber Wright
UNITED STATES DISTRICT JUDGE

¹ Shannon Boyle’s motion [doc.#4] for leave to proceed in forma pauperis is denied as moot.