

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

**EDDIE LEE PATRICK, JR.
ADC # 94049**

PETITIONER

v.

NO. 5:16CV00034-JLH-BD

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

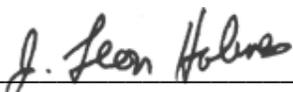
RESPONDENT

ORDER

The Court has received the Recommended Disposition (“Recommendation”) filed by Magistrate Judge Beth Deere. The parties have not filed any objections. After careful review of the Recommendation, the Court concludes that the Recommendation should be, and hereby is, approved and adopted as this Court’s findings in all respects.

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.

Petitioner Eddie Lee Patrick’s petition for writ of habeas corpus (docket entry #2) is DISMISSED without prejudice, this 7th day of March, 2016.



UNITED STATES DISTRICT JUDGE