

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

DELLEMOND CUNNINGHAM
ADC #104415

PETITIONER

v.

NO. 5:16CV00109-JLH-JTK

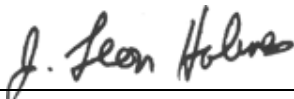
WENDY KELLEY, Director,
Arkansas Department of Correction

RESPONDENT

ORDER

The Court has received proposed findings and recommendations from United States Magistrate Judge Jerome T. Kearney. There have been no objections. Although the petitioner has not filed objections, he has twice moved for extensions of time, and both of those motions have been granted. He has now filed a motion for stay of the proceedings, stating that he is unable to understand the recommendation and requesting an additional opportunity to research and exhaust other possible available remedies. Based on the Court's review of the record, it appears that this habeas claim is barred by the one-year statute of limitations found in 28 U.S.C. § 2244(d)(1), as the magistrate judge determined. There is no apparent basis for tolling the statute of limitations in this case. The petitioner offers no reason to hope that a stay of the proceedings would produce a different result, nor does he explain how long it would take for him to conduct his additional research. There is no apparent reason, therefore, to believe that a stay might change the outcome of this case. The motion for stay is DENIED. Document #23. The Court concludes that the findings and recommendations should be, and are hereby, approved and adopted as this Court's findings in all respects in their entirety. Judgment will be entered accordingly.

IT IS SO ORDERED this 3rd day of November, 2016.



J. LEON HOLMES
UNITED STATES DISTRICT JUDGE