

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

**LAMAR KEMP
ADC # 085183**

PETITIONER

v.

Case No. 5:16-cv-00231-KGB/JTR

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

DEFENDANT

ORDER

The Court has reviewed the Recommended Disposition submitted by United States Magistrate Judge J. Thomas Ray (Dkt. No. 5). No objections have been filed, although petitioner Lamar Kemp submitted a filing regarding his underlying Petition (Dkt. No. 6). After careful consideration, the Court concludes that the Recommended Disposition should be, and hereby is, approved and adopted in its entirety as this Court's findings in all respects. Judgment will be entered accordingly. It is therefore ordered that:

1. Petitioner Lamar Kemp's motion for leave to proceed *in forma pauperis* is granted (Dkt. No. 3).
2. Mr. Kemp's petition for writ of habeas corpus under 28 U.S.C. § 2254 is dismissed without prejudice so that Mr. Kemp may seek authorization from the Eighth Circuit Court of Appeals, pursuant to 28 U.S.C. § 2244(b)(3)(A), to file a successive habeas petition (Dkt. No. 1). All pending motions are denied as moot (Dkt. Nos. 7; 8).
3. A certificate of appealability is denied pursuant to Rule 11(a) of the Rules Governing Section 2254 Cases in the United States District Courts.

Dated this 1st day of December, 2016.



Kristine G. Baker
United States District Judge