

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

BRIAN ELAM SIMS
ADC # 155244

PETITIONER

v.

5:16CV00293-BRW

WENDY KELLEY, Director,
Arkansas Department of Correction

RESPONDENT

ORDER

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge Joe J. Volpe. No objections have been filed. After careful consideration, the Court concludes the Proposed Findings and Recommended Disposition should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects.

IT IS, THEREFORE, ORDERED that:

1. Mr. Sims's § 2254 Petition for Writ of Habeas Corpus (Doc. No. 1) is DISMISSED and the requested relief is denied.

2. A certificate of appealability will not be issued.

SO ORDERED this 26th day of April, 2017.

/s/Billy Roy Wilson
UNITED STATES DISTRICT JUDGE