

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

**JACKIE LEE WILLIAMS
ADC #093224**

PETITIONER

v.

CASE NO. 5:17CV00017 BSM

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

RESPONDENT

ORDER

The proposed findings and recommendations [Doc. No. 21] submitted by United States Magistrate Judge J. Thomas Ray have been received along with petitioner Jackie Williams's objections. *See* Doc. No. 22. After careful consideration of the record, the proposed findings and recommendations are adopted in their entirety.

Accordingly, respondent Wendy Kelley's motion to dismiss [Doc. No. 7] is granted and this 28 U.S.C. § 2254 action is dismissed in its entirety. Williams's claims regarding his conviction and sentence in *Williams v. State*, 1997 WL 160778 (Ark. Ct. App. Apr. 2, 1997) is dismissed, without prejudice, so that Williams can 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. Williams's claims regarding the convictions and sentences in *Williams v. State*, 331 Ark. 263, 962 S.W.2d 329 (Ark. 1998), and *Williams v. State*, 2000 WL 546653 (Ark. Sup. Ct. May 4, 2000), are dismissed, with prejudice, as untimely. A certificate of appealability will not be granted because Williams has not made a substantial showing of the denial of a constitutional right. *See* 28 U.S.C. § 2253(c)(1)-(2).

IT IS SO ORDERED this 25th day of August 2017.

Brian J. Miller

UNITED STATES DISTRICT JUDGE