

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

CHARLIE VAUGHN
ADC #84104

PETITIONER

v.

No. 5:17-cv-87-DPM

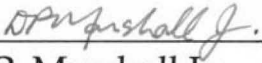
WENDY KELLEY, Director,
Arkansas Department of Correction

RESPONDENT

ORDER

On *de novo* review, the Court partly sustains Vaughn's objections, *No* 10 & 12, and adopts the recommendation, *No* 9, as modified. The Court also grants as modified Kelley's overlapping motion on jurisdiction. Vaughn must get permission from the United States Court of Appeals for the Eighth Circuit before proceeding with this second petition. Going the transfer route (helpfully noted by Kelley) avoids the potential problems foreseen by Vaughn in his objections. The Court therefore transfers the petition, *No* 1, to the Court of Appeals. 28 U.S.C. § 2244(b)(3)(A).

So Ordered.



D.P. Marshall Jr.
United States District Judge



15 JUNE 2017