

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

WESLEY JEFFERSON

PETITIONER

V.

NO. 5:17CV00263-JM-JTR

STATE OF ARKANSAS

RESPONDENT

ORDER

The Court has reviewed the Recommended Disposition submitted by United States Magistrate Judge J. Thomas Ray and the filed objections. After carefully considering these documents and making a *de novo* review of the record in this case, 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. Jefferson's Motion for Leave to Proceed *In Forma Pauperis*, *Doc. 1*, is GRANTED;
2. The Petition for Writ of Habeas Corpus under 28 U.S.C. § 2254, *Doc. 2*, is DISMISSED, WITHOUT PREJUDICE, so that Jefferson 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; and
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 21st day of November, 2017.


UNITED STATES DISTRICT JUDGE