

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

RONALD ANTHONY ANTONIELLO
ADC #165855

PETITIONER

v.

Case No. 5:19-cv-00003-KGB-JTK

WENDY KELLEY, Director of
Arkansas Department of Correction

RESPONDENT

ORDER

The Court has received the Proposed Findings and Recommendations submitted by United States Magistrate Judge Jerome Kearney (Dkt. No. 18). Plaintiff Ronald Anthony Antoniello filed an objection to the Proposed Findings and Recommendations (Dkt. No. 19). After a review of the Proposed Findings and Recommendations and Mr. Antoniello's objection, as well as a *de novo* review of the record, the Court adopts the Proposed Findings and Recommendations in their entirety as this Court's findings in all respects (Dkt. No. 18).

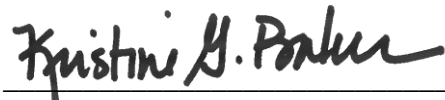
Mr. Antoniello raises three objections (Dkt. No. 19); however, each objection restates a claim that Mr. Antoniello made in his brief in support of federal habeas corpus relief (Dkt. No. 2) or in his motion to stay habeas proceedings (Dkt. No. 12). Judge Kearney properly addressed each of these claims in the Proposed Findings and Recommendations (Dkt. No. 18). The Court has adopted Judge Kearney's analysis and reasoning as its own; the Court will not repeat that analysis with respect to Mr. Antoniello's objections.

For these reasons, the Court adopts the Proposed Findings and Recommendations as its findings in all respects. The Court dismisses with prejudice Mr. Antoniello's claims. The Court denies as moot Mr. Antoniello's motion to stay habeas proceedings and motion for status (Dkt. Nos. 12, 20).

It is therefore ordered that:

1. The Court adopts in their entirety the Proposed Findings and Recommendations submitted by United States Magistrate Judge Jerome Kearney (Dkt. No. 18);
2. The Court denies Mr. Swift's 28 U.S.C. § 2254 petition for writ of habeas corpus and dismisses with prejudice this case;
3. The Court declines to issue a certificate of appealability, *see* 28 U.S.C. §2253(c)(1)-(2); Rule 11(a), Rules Governing § 2254 Cases in United States District Courts;
4. The Court denies as moot Mr. Swift's motion to stay habeas proceedings (Dkt. No. 12); and
5. The Court denies as moot Mr. Swift's motion for status (Dkt. No. 20).

It is so ordered this 27th day of January, 2020.



Kristine G. Baker
United States District Judge