

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
EL DORADO DIVISION

ROBERT EARL ROBINSON

PETITIONER

v.

Case No. 1:23-cv-1096

ASHLEY COUNTY SHERIFF'S
DEPARTMENT; and ASHLEY
COUNTY SHERIFF'S OFFICE

DEFENDANTS

ORDER

Before the Court is a Report and Recommendation (“R&R”) issued by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. ECF No. 9. Judge Bryant recommends that Petitioner Robert Earl Robinson’s petition for writ of habeas corpus (ECF No. 1) be dismissed without prejudice for failure to prosecute this matter pursuant to Federal Rule of Civil Procedure 41(b). Specifically, Judge Bryant states that Petitioner has failed to provide certain information regarding his petition that the court directed (ECF No. 4) Petitioner provide by December 7, 2023. Petitioner filed a timely objection to the R&R. ECF No. 10. In his objection, Plaintiff attempts to outline the information that Judge Bryant previously directed Petitioner provide to the Court.

Upon review, the Court finds that Petitioner’s objection has belatedly attempted to provide the previously requested information regarding his habeas petition. Therefore, the Court **declines** to adopt Judge Bryant’s R&R. Petitioner’s petition for habeas corpus relief can proceed for further evaluation.

IT IS SO ORDERED, this 26th day of March, 2024.

/s/ Susan O. Hickey

Susan O. Hickey

Chief United States District Judge