

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION

LEONARD NOBLE

PETITIONER

v.

Civil No. 09-02080

LARRY NORRIS, Director,
Arkansas Department of Correction

RESPONDENT

O R D E R

NOW on this 11th day of January 2010, comes on for consideration the Report and Recommendation issued by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas (document #25), on November 24, 2009, and Petitioner's objections thereto (document #26).

The Court has reviewed this case *de novo* and, being well and sufficiently advised, finds as follows: Petitioner's objections offer neither law nor fact requiring departure from the Report and Recommendation and the same should be, and it hereby is, adopted *in toto*.

IT IS THEREFORE ORDERED that Petitioner Leonard Noble's Petition for Writ of Habeas Corpus (document #1) should be, and it hereby is, **dismissed**. The Court further finds that, pursuant to 28 U.S.C. § 1915(a), any appeal taken by Petitioner from this dismissal would not be taken in good faith.

IT IS SO ORDERED.

/s/ Jimm Larry Hendren
JIMM LARRY HENDREN
UNITED STATES DISTRICT JUDGE