

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

ROBERT RAY HYATT

PLAINTIFF/RESPONDENT

v.

CV NO. 2:12-CV-02081

RAY HOBBS, Director
Arkansas Department of Correction

DEFENDANT/PETITIONER

O R D E R DENYING CERTIFICATE OF APPEALABILITY

No on this the 13th day of July, 2012, the Court takes note that the Petitioner has filed a Notice of Appeal (ECF No. 8) and a Motion for Certificate of Appealability (ECF No. 9), and for the reasons stated in the Report and Recommendation (ECF No. 4) dated May 10, 2012 the court finds that there is no substantial showing of the denial of a constitutional right.

The Request for a Certificate of Appealability is hereby DENIED.

IT IS SO ORDERED this July 13, 2012.

/s/ J. Marschewski

HONORABLE JAMES R. MARSCHEWSKI
Chief United States Magistrate Judge