

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

SHAUN JERMAINE ESTES

PLAINTIFF/PETITIONER

V.

CASE NO.: 2:24-CV-2073

DEXTER PAYNE, Director,
Arkansas Department of Correction

DEFENDANT/RESPONDENT

ORDER

Before the Court is the Report and Recommendation (“R&R”) (Doc. 21) of the Honorable Mark E. Ford, United States Magistrate Judge for the Western District of Arkansas, regarding Shaun Jermaine Estes’s Petition for Habeas Relief pursuant to 28 U.S.C. § 2254. The Magistrate Judge recommends denying the Petition.

On March 5, 2025, Mr. Estes filed Objections to the R&R (Doc. 22), which prompted the Court to conduct a *de novo* review of the record as required by 28 U.S.C. § 636(b)(1)(C). It is clear to the Court that Mr. Estes’s Objections fail to engage with the R&R’s legal reasoning in any respect. As the R&R correctly concluded, the claims for federal habeas relief were never presented to the appropriate state courts, thereby depriving the state courts of the opportunity to address those claims in the first instance.

IT IS THEREFORE ORDERED that the Objections are **OVERRULED**, the R&R is **ADOPTED** in full, and the Petition for Habeas Relief pursuant to 28 U.S.C. § 2254 (Doc. 1) is **DISMISSED WITH PREJUDICE**. The Clerk is directed to close the case.

IT IS SO ORDERED on this 10th day of March, 2025.

/s/ Timothy L. Brooks

TIMOTHY L. BROOKS

UNITED STATES DISTRICT JUDGE