

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HARRISON DIVISION**

ROBERT GREGORY SAYRES

PLAINTIFF

v.

Case No. 5:14-CV-03011

**RAY HOBBS; Director
Arkansas Department of Correction**

DEFENDANT

OPINION AND ORDER

Currently before the Court are the Report and Recommendation (“R & R”) (Doc. 34) of the Honorable James R. Marschewski, Chief United States Magistrate for the Western District of Arkansas, filed in this case on April 2, 2014, regarding Plaintiff Robert Gregory Sayres’ Petition to Vacate, Set Aside, or Correct a Sentence Pursuant to 28 U.S.C. § 2254 (Doc. 1); Defendant Ray Hobbs’ Response (Doc. 22); and Sayres’ Reply (Doc. 27). Also before the Court are Sayres’ Objections (Docs. 35 and 41); and Sayres’ subsequent Motion for Emergency Hearing (Doc. 36), Motion for a Copy of the ADC and Parole File (Doc. 37), Motion to Add Witnesses (Doc. 39), Motion for Hearing (Doc. 40), Motion for Court to Intervene in State Court Case (Doc. 42), and Motion to Challenge Conviction (Doc. 43). The Court has conducted a *de novo* review as to all specified proposed findings and recommendations to which Sayres has raised objections. 28 U.S.C. § 636(b)(1). Accordingly, the Court finds that the R & R should be, and hereby is, APPROVED and ADOPTED IN TOTO, and Sayres’ subsequent Motions are MOOT.

I. BACKGROUND

This case concerns Sayres’ Petition for a Writ of Habeas pursuant to 18 U.S.C. § 2254. On April 15, 2005, Sayres was convicted in Boone County Circuit Court in Case CR