

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
TEXARKANA DIVISION

TERRY DON MATTHEWS

PETITIONER

v.

Civil No. 4:12-cv-04113

WENDY KELLEY, Director,
Arkansas Department of Corrections

RESPONDENT

ORDER

Before the Court is the Report and Recommendation filed July 12, 2016, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. ECF No. 44. Judge Bryant recommends that Petitioner's Motion for Certificate of Appealability (ECF No. 42) be denied. No party has filed objections to the Report and Recommendation, and the time to object has passed. *See* 28 U.S.C. § 636(b)(1). Upon review, the Court adopts the Report and Recommendation *in toto*. Accordingly, Petitioner's Motion for Certificate of Appealability (ECF No. 42) is **DENIED**.

IT IS SO ORDERED, this 3rd day of August, 2016.

/s/ Susan O. Hickey
Susan O. Hickey
United States District Judge