

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

JULIE MICHELLE SCOTT

PETITIONER

VS.

Civil No. 4:12-cv-4136

RAY HOBBS, Director
Arkansas Department of Corrections

RESPONDENT

ORDER

Before the Court is the Report and Recommendation filed July 25, 2013, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (ECF No. 11). Judge Bryant recommends that Julie Michelle Scott's petition for writ of *habeus corpus* (ECF No. 1) be denied without prejudice. Specifically, Judge Bryant recommends denial of the petition because Petitioner has failed to adequately exhaust her state court remedies and has failed to establish that seeking available state court remedies would be futile.

The parties have not filed objections to the Report and Recommendation, and the time to object has passed. *See* 28 U.S.C. § 636(b)(1). Therefore, the Court adopts the Report and Recommendation *in toto*. The petition is hereby **DISMISSED WITHOUT PREJUDICE**. If and when available state court remedies have been exhausted, Petitioner may re-file her petition.

IT IS SO ORDERED, this 13th day of August, 2013.

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