

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

DANIEL ORTIZ

PETITIONER

v.

Civil No. 09-5004

LARRY NORRIS, Director
Arkansas Department of Correction

RESPONDENT

ORDER

NOW on this 15th day of April 2009, comes on for consideration the Report and Recommendation of Magistrate Judge James R. Marschewski (document #3), filed on February 2, 2009, and the petitioner's Objection to Report and Recommendations Pursuant to 28 U.S.C. § 636(b)(1) (document #6), and the Court, being well and sufficiently advised, finds that petitioner's objections offer neither law nor fact requiring departure from the Report and Recommendation and the same should be, and it hereby is, adopted *in toto*.

IT IS THEREFORE ORDERED that the **Report And Recommendation** is **adopted in toto**. Accordingly, the **Petition for Writ of Habeas Corpus** (document #1) is **dismissed**.

IT IS SO ORDERED.

/s/ Jimm Larry Hendren
JIMM LARRY HENDREN
UNITED STATES DISTRICT JUDGE