

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

DONALD E. CALIANNO

PETITIONER

v.

Civil No. 12-5028

RAY HOBBS, Interim Director  
Arkansas Department of Corrections

RESPONDENT

O R D E R

Now on this 20th day of February 2013, comes on for consideration the **Magistrate Judge's Report and Recommendation** (document #9), entered on January 28, 2013, to which no objections have been filed. The Court has reviewed the Report and Recommendation and, being well and sufficiently advised, finds that it is proper and should be adopted in its entirety.

**IT IS THEREFORE ORDERED** that the **Magistrate Judge's Report and Recommendation** (document #9) is **adopted in toto**.

**IT IS FURTHER ORDERED** that, for the reasons stated in the Report and Recommendation, petitioner's **Motion to Vacate, Set Aside, or Correct a Sentence pursuant to 28 U.S.C. § 2254** (document #1) is hereby **denied** and **dismissed with prejudice**.

**IT IS SO ORDERED.**

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