

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

HOWARD LEE LEACH

PETITIONER

v.

Case No. 5:16-CV-05202

STATE OF ARKANSAS

RESPONDENT

ORDER

Currently before the Court is the Report and Recommendations (Doc. 6) filed in this case on August 5, 2016, by the Honorable Erin Setser, United States Magistrate Judge for the Western District of Arkansas. Also before the Court is Plaintiff's untimely filed objection (Doc. 7).

The Court has reviewed this case and, being well and sufficiently advised, finds as follows: Plaintiff's objection offers neither law nor fact requiring departure from the Report and Recommendations. It appears that Plaintiff's habeas claim is a successive claim subject to dismissal under 28 U.S.C. § 2244(b)(3)(A) and should be dismissed for lack jurisdiction.

The Report and Recommendation is proper and should be and hereby is **ADOPTED IN ITS ENTIRETY**. Accordingly, for the reasons stated in the Magistrate Judge's Report and Recommendations, IT IS ORDERED that Petitioner's Habeas Corpus Petition (Doc. 1) filed under 28 U.S.C. § 2254 is DISMISSED FOR LACK OF JURISDICTION..

IT IS SO ORDERED this 20th day of December, 2016.

/s/ P. K. Holmes, III

P.K. HOLMES, III
CHIEF U.S. DISTRICT JUDGE