

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
HOT SPRINGS DIVISION

RANDALL T. MCARTY

PETITIONER

v.

Civil No. 14-6105

WENDY KELLY, Director, Arkansas  
Department of Correction

RESPONDENT

**ORDER**

Now on this 4th day of November 2015, there comes on for consideration the report and recommendation filed herein on September 1, 2015, by the Honorable James R. Marschewski, United States Magistrate Judge for the Western District of Arkansas. (Doc. 29). Also before the Court are Petitioner's written objections. (Doc. 30).

The court has reviewed this case *de novo* and, being well and sufficiently advised, finds as follows: The report and recommendation is proper and should be and hereby is adopted in its entirety. Accordingly, the 28 U.S.C. § 2254 petition (doc. 1) is DENIED and DISMISSED WITH PREJUDICE. Further, Petitioner's Motion for Summary Judgment (doc. 24) is DENIED.

IT IS SO ORDERED.

/s/ Robert T. Dawson  
Honorable Robert T. Dawson  
United States District Judge