

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

GIFFORD RAY

PETITIONER

v.

No. 6:16-CV-06044

WENDY KELLY, Director,
Arkansas Department of Correction

RESPONDENT

ORDER

The Court has received a report and recommendations (Doc. 20) from Chief United States Magistrate Judge Barry A. Bryant, and timely objections (Doc. 21) from Petitioner Norman H. May. Respondent Wendy Kelly has filed a response (Doc. 22) to the objections, and Petitioner has filed a reply (Doc. 23) and supplement (Doc. 24) to that reply without leave of Court. Nevertheless, the Court has considered the reply and supplement.

The Magistrate recommends that Petitioner's petition for a writ of habeas corpus (Doc. 1) be denied for lack of jurisdiction. The Magistrate further recommends that no certificate of appealability issue. Upon due consideration, the Court finds that Petitioner's objections, reply, and supplement offer neither law nor fact requiring departure from the Magistrate's findings and recommendations, that the Magistrate's report does not otherwise contain clear error, and that the report (Doc. 20) should be, and hereby is, ADOPTED IN ITS ENTIRETY.

IT IS THEREFORE ORDERED that Petitioner's petition for a writ of habeas corpus (Doc. 1) is DENIED and this case is DISMISSED WITH PREJUDICE. No certificate of appealability shall issue.

Judgment will be entered accordingly.

IT IS FURTHER ORDERED that the remaining motions in this case are TERMINATED AS MOOT.

IT IS SO ORDERED this 21st day of December, 2016.

/s/ P. K. Holmes, III

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