

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
HATTIESBURG DIVISION**

GLENN PAYTON, JR.,

PETITIONER

v.

CIVIL ACTION NO.: 2:10cv250-KS-MTP

RONALD KING and JIM HOOD

RESPONDENTS

ORDER

This matter is before the Court on the *pro se* Petition for Writ of Habeas Corpus of Glenn Payton, Jr. pursuant to 28 U.S.C. § 2254 [1] and the Petitioner’s Motion for Summary Judgment [13]. The Court, considering same and also considering the Respondent’s Answer to the Complaint [9], the Response in Opposition to the Answer to the Complaint [11], the Report and Recommendation filed on June 13, 2012 by United States Magistrate Judge Michael T. Parker [19], and the failure of any party to file an objection to the Magistrate Judge’s Report and recommendation, hereby approves the Report and Recommendation of the United States Magistrate Judge, finding it an accurate statement of the facts and correct analysis of the law, and adopts it as the Court’s opinion in this matter.

IT IS THEREFORE ORDERED the Report and Recommendation of Magistrate Judge Michael T. Parker entered on June 13, 2012, should be, and hereby is, adopted in whole as the finding of this Court. Accordingly, for the reasons set forth in the Magistrate Judge’s Report and Recommendation, it is

ORDERED that Glenn Payton, Jr.'s Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 [1] be, and hereby is, **DISMISSED WITH PREJUDICE**; and the Petitioner's Motion for Summary Judgment [13] be, and hereby is, **DENIED**.

SO ORDERED AND ADJUDGED on this, the 9th day of July, 2012.

S/ Keith Starrett
UNITED STATES DISTRICT JUDGE