

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION

JOHNNY LAROND PLUMMER

PETITIONER

VS.

CIVIL ACTION NO. 4:11CV6TSL-MTP

MISSISSIPPI DEPARTMENT OF CORRECTIONS,
STATE OF MISSISSIPPI AND K. REAGANS

RESPONDENTS

ORDER

This cause is before the court on the objections of petitioner Johnny Larond Plummer to the magistrate judge's report and recommendation entered on December 16, 2011. Having reviewed petitioner's submission, the court now concludes that petitioner's objection is without merit and hereby adopts, as its own opinion, the magistrate judge's report and recommendation.

Based on the foregoing, it is ordered that the report and recommendation of United States Magistrate Michael T. Parker entered on or about December 16, 2011, be, and the same is hereby, adopted as the finding of this court.

It is further ordered that a certificate of appealability should not issue. Petitioner has failed to show that "jurists of reason would find it debatable whether the petition states a valid claim of the denial of a constitutional right and that jurists of reason would find it debatable whether [this] court was correct in its procedural ruling." Slack v. McDaniel, 529 U.S. 473, 484, 120 S. Ct. 1595, 146 L. Ed. 2d 542 (2000).

A separate judgment will be entered in accordance with Rule 58 of the Federal Rules of Civil Procedure.

SO ORDERED this 9th day of January, 2012.

/s/ Tom S. Lee
UNITED STATES DISTRICT JUDGE