UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

ROBERT T. CHILDS,	)
	)
Petitioner,	)
	)
vs.	) Case No. 4:14CV02088 SNLJ
	)
KENNY JONES, et al.,	)
	)
Respondent.	)

<u>MEMORANDUM AND ORDER</u>

This matter is before me on the petition for writ of habeas corpus filed by

Petitioner Robert T. Childs. I referred this matter to United States Magistrate Judge

Nannette A. Baker for a report and recommendation on all dispositive matters pursuant to

28 U.S.C. § 636(b). On January 2, 2018, Judge Baker filed her recommendation that

Childs' habeas petition should be dismissed.

No objections to Judge Baker's Report and Recommendation were filed. After

careful consideration, I will adopt and sustain the thorough reasoning of Judge Baker and

deny Childs' habeas petition for the reasons stated in the Report and Recommendation

dated January 2, 2018.

I have also considered whether to issue a certificate of appealability. To grant a

certificate of appealability, the Court must find a substantial showing of the denial of a

federal constitutional right. See Tiedeman v. Benson, 122 F.3d 518, 522 (8th Cir. 1997).

A substantial showing is a showing that issues are debatable among reasonable jurists, a

Court could resolve the issues differently, or the issues deserve further proceedings. Cox

v. Norris, 133 F.3d 565, 569 (8th Cir. 1997) (citing Flieger v. Delo, 16 F.3d 878, 882-83 (8th Cir. 1994)). Because Childs has not made such a showing in this case, I will not issue a certificate of appealability.
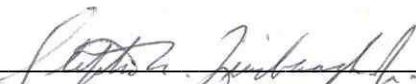
Accordingly,

IT IS HEREBY ORDERED that Judge Baker's Report and Recommendation, #18, filed January 2, 2018 is adopted and sustained in its entirety.

IT IS FURTHER ORDERED that Petitioner's Petition for Writ of Habeas Corpus, #1, is **DENIED**.

IT IS FURTHER ORDERED that the Court will not issue a certificate of appealability. A separate Judgment in accordance with this Memorandum and Order is entered this same date.

Dated this 9th day of March, 2018.

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STEPHEN N. LIMBAUGH, JR.
UNITED STATES DISTRICT JUDGE