

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

CECIL BOYETT,

Petitioner,

No. CV 17-374 KG/CG

v.


R.C. SMITH, et al.,

Respondents.

FINAL JUDGMENT

THE COURT, having issued an Order adopting the *Proposed Findings and Recommended Disposition* of Chief United States Magistrate Judge Carmen E. Garza, (Doc. 29), enters this Judgment in compliance with Rule 58 of the Federal Rules of Civil Procedure. Petitioner's *Motion Under 28 U.S.C. § 2254 to Vacate, Set Aside, or Correct Sentence by a Person in State Custody*, (Doc. 1), *Motion for Order of Release from Custody; Second Request for Appointment of Counsel*, (Doc. 19), and *Motion to Produce; or in the Alternative-Issuance of Subpoena to April Perea, State Trial Jury Member—Pursuant to Rule 45(3)(c)(i), Fed. Rules of Civil Procedure*, (Doc. 26), are **DENIED**, and this case is **DISMISSED WITH PREJUDICE**. Additionally, pursuant to Rule 11 of the Rules Governing Section 2254 Proceedings for the United States District Courts, the Court **DENIES** a certificate of appealability.

IT IS SO ORDERED.


UNITED STATES DISTRICT JUDGE