UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF OHIO

JONATHAN J. POWELL,

CASE NO. 1:15-CV-2120

Petitioner,

v.

OPINION AND ORDER [Resolving Doc. 1]

MANSFIELD CORRECTIONAL INSTITUTION,

Respondent.

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

On October 13, 2015, Petitioner Jonathan J. Powell filed a habeas corpus petition under 28 U.S.C. § 2254. On June 29, 2017, Magistrate Judge George J. Limbert recommended that the Court deny Petitioner Powell's petition. Magistrate Judge Limbert found that Petitioner's six grounds for relief were improperly pled, were procedurally defaulted, fail to state federal constitutional violations, and fail on the merits.

Objections to Magistrate Judge Limbert's Report and Recommendation were due by July 13, 2017. Petitioner Powell has not filed objections to the Report and Recommendation.

The Federal Magistrates Act requires a district court to conduct a de novo review only of those portions of a Report and Recommendation to which the parties have made an objection.⁴

Absent objection, a district court may adopt the Report and Recommendation without review.⁵

Because no party has objected to the Report and Recommendation, this Court may adopt the Report and Recommendation without further review. Moreover, having conducted its own

¹ Doc. 1. Respondent opposed. Doc. 8.

² Doc. 9.

³ Id.

⁴ 28 U.S.C. § 636(b)(1).

⁵ Thomas v. Arn, 474 U.S. 140, 149 (1985); L.R. 72.3(b).

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review of the petition and record, the Court agrees with the conclusions in the Report and

Recommendation.

Accordingly, the Court ADOPTS Magistrate Judge Limbert's Report and

Recommendation and incorporates it fully herein by reference. The Court **DENIES** Petitioner's

habeas petition. Furthermore, no basis exists upon which to issue a certificate of appealability.⁶

IT IS SO ORDERED.

Dated: July 31, 2017

James S. Gwin

JAMES S. GWIN

UNITED STATES DISTRICT JUDGE

⁶ 28 U.S.C. § 2253(c); Fed. R. App. P. 22(b).