

PEARSON, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

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| AMAD ESMAIL, |) | |
| |) | CASE NO. 4:15CV2327 |
| Petitioner, |) | |
| |) | |
| v. |) | JUDGE BENITA Y. PEARSON |
| |) | |
| WARDEN SLOAN, |) | |
| |) | |
| Respondent. |) | <u>MEMORANDUM OF OPINION AND</u> |
| |) | <u>ORDER</u> [Regarding ECF No. 8] |

Pro se Petitioner Amad Esmail filed a Petition for a Writ of Habeas Corpus pursuant to [28 U.S.C. § 2254](#). [ECF No. 1](#). Respondent Warden Brigham Sloan filed a Return of Writ. [ECF No. 5](#). The case was referred to Magistrate Judge George J. Limbert for preparation of a report and recommendation pursuant to [Local Rule 72.2\(b\)\(2\)](#). On October 6, 2017, Magistrate Judge Limbert submitted his report and recommendation, recommending dismissal of the petition. [ECF No. 8](#).

[Fed. R. Civ. P. 72\(b\)\(2\)](#) provides that objections to a report and recommendation must be filed within 14 days after service. Objections to the magistrate judge's report were, therefore, due on October 23, 2017.¹ Petitioner has not filed any objections to Magistrate Judge Limbert's report and recommendation. Any further review by the Court would be a duplicative and

¹ Under [Fed. R. Civ. P. 6\(d\)](#), three days must be added to the fourteen-day time period because Petitioner was served the Magistrate Judge's Report by mail. See [Thompson v. Chandler](#), 36 F. App'x. 783, 784 (6th Cir. 2002).

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inefficient use of the Court's limited resources. [*Thomas v. Arn*, 728 F.2d 813 \(6th Cir. 1984\)](#),
aff'd, [474 U.S. 140 \(1985\)](#); [*Howard v. Sec'y of Health and Human Servs.*, 932 F.2d 505 \(6th Cir. 1991\)](#); [*United States v. Walters*, 638 F.2d 947, 949–50 \(6th Cir. 1981\)](#).

Accordingly, the Court hereby adopts the Report and Recommendation. The Petition for a Writ of Habeas Corpus ([ECF No. 1](#)) is dismissed. The Court certifies, pursuant to [28 U.S.C. § 1915\(a\)\(3\)](#), that an appeal from this decision could not be taken in good faith, and that there is no basis upon which to issue a certificate of appealability. [28 U.S.C. § 2253\(c\)](#); [Fed. R. App. P. 22\(b\)](#).

IT IS SO ORDERED.

December 15, 2017
Date

/s/ Benita Y. Pearson
Benita Y. Pearson
United States District Judge