

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

**JAMES CODY,**

**Petitioner,**

**v.**

**ROB JEFFREYS, WARDEN,**

**Respondent.**

**CASE NO. 2:10-CV-974  
JUDGE EDMUND A. SARGUS, JR.  
MAGISTRATE JUDGE MICHAEL R. MERZ**


**OPINION AND ORDER**

On April 23, 2013, the Magistrate Judge issued a *Supplemental Report and Recommendation* recommending that the instant petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 be dismissed. Although the parties were advised of the right to object to the Magistrate Judge's supplemental recommendations, and of the consequences of failing to do so, no objections have been filed.

The *Report and Recommendation* and *Supplemental Report and Recommendation* are **ADOPTED** and **AFFIRMED**. This action is hereby **DISMISSED**.

The Court certifies that an appeal would not be taken in objective good faith.

**IT IS SO ORDERED.**

 6-5-2013  
EDMUND A. SARGUS, JR.  
United States District Judge