

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

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| RODERICK RIDEAU, | : | |
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| Petitioner, | : | Case No. 3:00cv00427 |
| | : | |
| vs. | : | District Judge Walter Herbert Rice |
| | : | Magistrate Judge Sharon L. Ovington |
| HARRY RUSSELL, Warden, Lebanon Correctional Institution, | : | |
| | : | |
| Respondent. | : | |

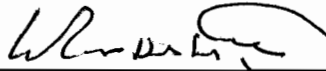
DECISION AND ENTRY ADOPTING THE SUPPLEMENTAL REPORT AND RECOMMENDATIONS FILED ON DECEMBER 7, 2009 (Doc. #93); DENYING AND DISMISSING RODERICK RIDEAU'S THIRD AMENDED PETITION FOR WRIT OF HABEAS CORPUS (Doc. #23); DECLINING TO ISSUE A CERTIFICATE OF APPEALABILITY; AND TERMINATING THE CASE ON THE DOCKET OF THIS COURT

The Court has conducted a de novo review of the Supplemental Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #93), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendations.

It is therefore **ORDERED** that:

1. The Supplemental Report and Recommendations filed on December 7, 2009 (Doc. #93) is **ADOPTED** in full;
2. Roderick Rideau's Third Amended Petition for a Writ of Habeas Corpus (Doc. #23) is **DENIED** and **DISMISSED**;

3. A certificate of appealability under 28 U.S.C. §2253 shall not issue; and
4. The case is terminated on the docket of this Court.



Walter Herbert Rice
United States District Judge