

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

QUINTIN E. MOORE,

Petitioner,

vs.

WARDEN, LONDON CORRECTIONAL
INSTITUTION,

Respondent.

:

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Case No. 3:10cv210

:

JUDGE WALTER HERBERT RICE

:

DECISION AND ENTRY ADOPTING REPORT AND RECOMMENDATIONS OF UNITED STATES MAGISTRATE JUDGE (DOC. #10) IN THEIR ENTIRETY; PETITIONER'S OBJECTIONS TO SAID JUDICIAL FILING (DOC. #12) OVERRULED; JUDGMENT TO ENTER IN FAVOR OF RESPONDENT AND AGAINST PETITIONER HEREIN, GRANTING RESPONDENT'S MOTION TO DISMISS (DOC. #9) ON STATUTE OF LIMITATIONS GROUNDS; PETITION FOR WRIT OF HABEAS CORPUS (DOC. #2) DENIED AND DISMISSED; ANY REQUESTED CERTIFICATE OF APPEALABILITY AND MOTION FOR LEAVE TO APPEAL *IN FORMA PAUPERIS* DENIED; TERMINATION ENTRY

Pursuant to the reasoning and citations of authority set forth by the United States Magistrate Judge, in his Report and Recommendations filed July 28, 2011, said Report and Recommendations (Doc. #10) are adopted in their entirety. The Petitioner's Objections to said judicial filing (Doc. #12) are overruled.

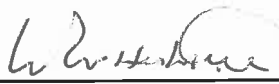
Judgment will be ordered entered in favor of the Respondent and against Petitioner herein, granting Respondent's Motion to Dismiss (Doc. #9) on statute of

limitation grounds and denying and dismissing the petition for writ of habeas corpus (Doc. #2), with prejudice, upon the grounds that same was filed beyond the applicable statute of limitations.

Given that Plaintiff has failed to make a substantial showing of the denial of a constitutional right and that this Court's decision herein would not be debatable among jurists of reason, and, further, that any appeal from this Court's decision herein would be objectively frivolous, this Court denies any requested certificate of appealability and any anticipated request for leave to appeal *in forma pauperis*.

The captioned cause is hereby ordered terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

September 19, 2011



WALTER HERBERT RICE
UNITED STATES DISTRICT JUDGE

Copies to:

Quintin E. Moore, *Pro Se*
Counsel of record