

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

JASON E. SKAGGS, : Case No. 3:11-cv-323
 :
 Petitioner, : Judge Timothy S. Black
 : Magistrate Judge Michael R. Merz
vs. :
 :
WARDEN, Warren Correctional Institution, :
 :
 Respondent. :

**DECISION AND ENTRY: (1) ADOPTING THE REPORT AND
RECOMMENDATIONS OF THE UNITED STATES MAGISTRATE JUDGE
(Doc. 3); AND (2) TERMINATING THIS CASE FROM THE DOCKET**

This case is before the Court pursuant to the Order of General Reference in the United States District Court for the Southern District of Ohio Western Division to United States Magistrate Judge Michael R. Merz. Pursuant to such reference, the Magistrate Judge reviewed the pleadings filed with this Court, and, on September 9, 2011 submitted a Report and Recommendations. (Doc. 3). The Petitioner did not file objections.¹

As required by 29 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court has reviewed the comprehensive findings of the Magistrate Judge and considered *de novo* all of the filings in this matter. Upon consideration of the foregoing, the Court does determine that such Report and Recommendations should be and is hereby adopted in its entirety.

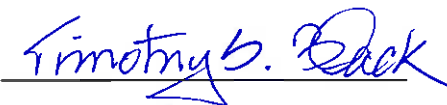
¹ The Petitioner requested a 60 day extension of time to file objections, which the Magistrate Judge granted. (Doc. 4). However, more than 60 days have passed and the Petitioner has yet to file objections. The Court finds that Petitioner has had more than sufficient time to respond to the Report and Recommendations and declines to delay its ruling in this case.

Accordingly:

1. The Report and Recommendations (Doc. 3) is **ADOPTED**;
2. The Petition is **DISMISSED WITH PREJUDICE**;
3. A certificate of appealability under 28 U.S.C. § 2253 is **DENIED**; and
4. This case is **TERMINATED** on the docket of this Court.

IT IS SO ORDERED.

Date: 11/7/11



Timothy S. Black
United States District Judge

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