

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF KENTUCKY  
NORTHERN DIVISION  
at COVINGTON

CIVIL ACTION NO. 10-107-KKC-CJS

CHARLES W. STRATTON

PETITIONER

v.

**OPINION & ORDER**

ED HALL, DIRECTOR

RESPONDENT

\* \* \* \* \*

On June 16, 2010, Petitioner Charles Stratton filed a pro se Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 (DE 6). Consistent with local practice, this matter was referred to the United States Magistrate Judge for consideration.

The Magistrate Judge filed a Report and Recommendation on December 28, 2010 (DE 19). Based on a review of the record and the applicable case law, the Magistrate Judge recommended that Petitioner Stratton’s Petition for a Writ of Habeas Corpus be denied, a Certificate of Appealability be denied, and this action be stricken from the docket.

This Court must make a *de novo* determination of those portions of the Magistrate Judge’s proposed Report and Recommendation to which objection is made. 28 U.S.C. § 636(b)(1)(C). On February 3, 2011, Petitioner Stratton filed objections to the Magistrate Judge’s Report and Recommendation (DE 25, 26). However, rather than specifically object to portions of the Report and Recommendation, Petitioner Stratton merely rehashes those arguments that have already been fully considered and rejected by the Magistrate Judge.

Nevertheless, this Court has given full consideration to the Petitioner’s objections. Having considered the issues raised *de novo*, the Court finds the Petitioner’s objections to

be without merit. Because the issues raised were thoroughly and correctly addressed by the Magistrate Judge, writing in detail is unnecessary. Wherefore, the Court hereby adopts the Magistrate Judge's proposed findings of fact and conclusions of law.

Accordingly, the Court **HEREBY ORDERS** as follows:

- (1) The Magistrate Judge's Report and Recommendation (DE 19) is **ADOPTED** as and for the opinion of the Court;
- (2) Petitioner's objections to the Magistrate Judge's Report and Recommendation (DE 25, 26) are **OVERRULED**;
- (3) Petitioner's Petition for a Writ of Habeas Corpus (DE 6) is **DENIED**;
- (4) A Certificate of Appealability **SHALL NOT BE ISSUED**; and
- (5) Judgment will be entered contemporaneously with this Opinion and Order.

Dated this 3<sup>rd</sup> day of March, 2011.



**Signed By:**

**Karen K. Caldwell**

A handwritten signature in black ink, consisting of the initials "K.K." followed by a stylized flourish.

**United States District Judge**