

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
SOUTHERN DIVISION
at LONDON

CIVIL ACTION NO. 11-91-KKC-CJS

RICKY ALLEN BROCK

PETITIONER

v.

OPINION & ORDER

GARY BECKSTROM, WARDEN

RESPONDENT

* * * * *

On March 24, 2011, Petitioner Ricky Allen Brock filed a pro se Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 [DE 1]. 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 June 3, 2011 [DE 9]. Based on a review of the record and the applicable case law, the Magistrate Judge recommended that Petitioner Brock’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 June 20, 2011, Petitioner Brock filed objections to the Magistrate Judge’s Report and Recommendation [DE 10]. However, rather than specifically object to portions of the Report and Recommendation, Petitioner Brock merely states that he “fully objects to all recommendations made by the Magistrate” [DE 10].

Nevertheless, this Court has given full consideration to the Petitioner’s objections. Having made a *de novo* determination, the Court finds the Petitioner’s objections to be

without merit and 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 9] is **ADOPTED** as and for the opinion of the Court;
- (2) Petitioner's objections to the Magistrate Judge's Report and Recommendation [DE 10] are **OVERRULED**;
- (3) Petitioner's Petition for a Writ of Habeas Corpus [DE 1] is **DENIED**;
- (4) A Certificate of Appealability **SHALL NOT BE ISSUED**;
- (5) Respondent's Motion to Dismiss [DE 6] is **DENIED AS MOOT**; and
- (6) Judgment will be entered contemporaneously with this Opinion and Order.

Dated this 24th day of June, 2011.



Signed By:

Karen K. Caldwell *KKC*

United States District Judge