

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

EUGENE HUMBERT,

Petitioner,

Case No. 1:10-cv-263

v

HON. JANET T. NEFF

WILLIE SMITH,

Respondent.

FINAL ORDER

In accordance with the Opinion entered this date:

IT IS HEREBY ORDERED that the Objections (Dkt 101) are DENIED and the Report and Recommendation of the Magistrate Judge (Dkt 94) is APPROVED and ADOPTED as the Opinion of the Court.

IT IS FURTHER ORDERED that the petition for habeas corpus relief (Dkt 1) is DENIED for the reasons stated in the Report and Recommendation.

IT IS FURTHER ORDERED that a certificate of appealability pursuant to 28 U.S.C. § 2253(c) is GRANTED as to the issue of whether Petitioner was denied his right to appellate counsel.

Date: September 5, 2013

/s/ Janet T. Neff
JANET T. NEFF
United States District Judge