

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

DONALD FERGUSON,

Petitioner,

Case No. 2:07-CV-81

v.

HON. GORDON J. QUIST

JERI-ANN SHERRY,

Respondent.

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court has before it Petitioner’s Objections to the Report and Recommendation dated November 2, 2009. In his Report, the Magistrate Judge recommended that Petitioner’s habeas petition be denied. Petitioner filed an objection. After conducting a *de novo* review, the Court concludes that the Report and Recommendation should be adopted and the petition dismissed.

A District Court does not need to provide *de novo* review where objections to a Report and Recommendation are frivolous, conclusive, or general. *See Mira v. Marshall*, 806 F.2d 636, 637 (6th Cir. 1986). Here, Petitioner cites inapposite cases for irrelevant propositions. Thus, the Court will overrule Petitioner’s objections.

Under 28 U.S.C. § 2253(c)(2), the Court must also determine whether a certificate of appealability should be granted. A certificate should issue if Petitioner has demonstrated a “substantial showing of a denial of a constitutional right.” 28 U.S.C. § 2253(c)(2). The Sixth Circuit has disapproved issuance of blanket denials of a certificate of appealability. *Murphy v. Ohio*, 263 F.3d 466, 467 (6th Cir. 2001). Rather, the district court must “engage in a reasoned assessment

