

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

RAYSHAWN OGLETREE,)	CASE NO. 1: 07 CV 2816
)	
Petitioner,)	
)	JUDGE DONALD C. NUGENT
v.)	
)	
STUART HUDSON, Warden,)	MEMORANDUM OPINION
)	AND ORDER
Respondent.)	

This matter comes before the Court upon the Report and Recommendation of Magistrate Judge David S. Perelman. The Report and Recommendation (ECF # 16) is ADOPTED by this Court, and Petitioner’s motion to vacate, set aside, or correct the sentence pursuant to 28 U.S.C. § 2254 (ECF # 1) is DENIED.

On May 3, 2005, a jury found Petitioner guilty of one count of murder with a firearm specification, three counts of aggravated robbery with firearm specifications, one count of aggravated burglary with specifications, and one count of engaging in a pattern of corrupt activity. Petitioner was sentenced to an aggregate term of eighteen years to life in prison. Petitioner filed this motion to vacate, set aside, or correct the sentence pursuant to 28 U.S.C. § 2254 on September 18, 2007, raising three grounds for relief.

Pursuant to Local Rule 72.2, this matter was referred to Magistrate Judge Perelman for the preparation of a report and recommendation. On June 25, 2008, Magistrate Judge Perelman recommended that this Court dismiss the Petition without further proceedings. Petitioner has not filed any objections to the Report and Recommendation.

The Court has reviewed the Report and Recommendation *de novo*. See *Thomas v. Arn*, 474 U.S. 140 (1985). The Court finds Magistrate Judge Perelman’s Report and

Recommendation to be well-written, well-supported, and correct. Therefore, the Report and Recommendation (ECF # 16) is ADOPTED in its entirety. Petitioner's motion to vacate, set aside, or correct the sentence is DENIED.

Further, the Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith, and there is no basis upon which to issue a certificate of appealability. 28 U.S.C. § 2253(c); Fed. R. App. P. 22(b).

IT IS SO ORDERED.

s/ Donald C. Nugent
DONALD C. NUGENT
United States District Judge

DATED: July 31, 2008