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IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OHIO WESTERN DIVISION

Ronald E. Tate, Case No. 1:12CV2332

Petitioner

v. ORDER

Barry Goodrich,

Respondent

This is a habeas corpus case under 28 U.S.C. § 2254. Following reference to a United States Magistrate Judge for a Report and Recommendation, the Magistrate Judge has submitted a Report and Recommendation recommending denial of the petition.

The petitioner has not filed a timely objection, though being notified of his need to do so.

On *de novo* review of the Report and Recommendation, I find that the Magistrate Judge's recommendation of dismissal is well-taken.

It is, therefore,

ORDERED THAT:

- The Report and Recommendation of the Magistrate Judge be, and the same hereby
 is adopted as the order of this court; the Clerk shall enter a dismissal accordingly;
 and
- 2. An appeal from this order could not be taken in good faith, and reasonable jurists could not reasonably disagree with this order; accordingly, no certificate of appeal

shall issue, and no appeal shall be taken without prepayment of the requisite filing fee.

The Clerk shall issue an order accordingly.

So ordered.

/s/ James G.Carr Sr. U.S. District Judge