

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

Dale L. Tackett,

Case No. 1:14 CV 788

Petitioner,

ORDER ADOPTING
REPORT AND RECOMMENDATION

-vs-

JUDGE JACK ZOUHARY

Richland Correctional Institution Warden,

Respondent.

This Court has reviewed the Magistrate Judge's August 28, 2015 Report and Recommendation ("R&R") (*see* Doc. 11). The R&R recommends this Court deny in part and dismiss in part Petitioner Dale Tackett's Petition for Writ of Habeas Corpus (Doc. 1).

Under 28 U.S.C. § 636(b)(1), a party must serve written objections to an R&R within fourteen (14) days of being served with the R&R. If a party timely objects, this Court reviews *de novo* the portions of the R&R to which objections were made. If a party does not timely object, the party waives *de novo* review by the district court. *See United States v. Sullivan*, 431 F.3d 976, 984 (6th Cir. 2005); *Thomas v. Arn*, 474 U.S. 140, 149 (1985).

Tackett's deadline for filing objections has passed, and this Court has received no requests for extension. The R&R accurately states the facts and law. This Court adopts the R&R in full.

Tackett's Petition (Doc. 1) is denied in part and dismissed in part. This 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 to issue a Certificate of Appealability. *See* 28 U.S.C. § 2253(c)(2).

IT IS SO ORDERED.

s/ Jack Zouhary
JACK ZOUHARY
U.S. DISTRICT JUDGE

September 22, 2015