

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

HAKEEN SULTAANA,)	CASE NO. 1:15 CV 382
)	
Plaintiff,)	JUDGE DONALD C. NUGENT
)	
v.)	<u>ORDER ADOPTING</u>
)	<u>REPORT AND RECOMMENDATION</u>
)	
JOHN JERMAN, <i>et al.</i> ,)	
)	
)	
Defendant.)	

This matter comes before the Court upon the Report and Recommendation of Magistrate Judge William H. Baughman, Jr.. (ECF #108). Plaintiff, Mr. Sultaana, filed three motions which were addressed in a joint Memorandum Opinion & Order, and Report and Recommendation issued by Magistrate Judge Baughman. The first two motions, filed as ECF #100 and #104, were denied by Magistrate Baughman under his referral authority to provide general pretrial supervision, (ECF #27). These motions are no longer pending and are not under review by this Court. The final motion pending before the Court is Plaintiff's Motion for status report and 3rd Request to Vacate Magistrate referral. (ECF #107). Magistrate Judge Baughman issued a Report and Recommendation recommending that the request for status report be denied, and noting that the request to vacate referral is committed to this District Judge's determination.

Mr. Sultaana filed an objection to the Report and Recommendation, however, he did not

raise any cognizable arguments addressing the only issue subject to that Report and Recommendation, which was the recommended denial of the request for status report. (ECF #109). Nonetheless, this Court has reviewed *de novo* that portions of the Magistrate Judge's Report and Recommendation to which objection has been made. *See* FED. R. CIV. P. 72(b). The Court finds Magistrate Judge Baughman's recommendation to deny the request for status report to be well-supported and correct under the circumstances. The Court finds that Petitioner's objections raise no arguments (factual or legal) that call into question the conclusions made in the Magistrate's Report and Recommendation. This Court, therefore, adopts the Magistrate's Report, over the Petitioner's objections, and denies the request for a status report.

The Court further denies that portion of Plaintiff's Motion that requests a revocation of the referral to the Magistrate. Mr. Suldaana argues that the referral is causing him actual prejudice from "all unnecessary delays," and, in his objection, appears to question the validity of the referral because he did not sign a consent form. A consent form is not necessary for this Court to refer a case to a magistrate for general pretrial supervision. Further, there is no evidence from the record that the delays in resolution of this case have any connection to the referral. This case has been reviewed by the Court of Appeals three times since its filing in 2015, and Plaintiff has inserted delays of his own making by continuously attempting to re-litigate issues which have already been resolved by the Court, (ECF #46, 73, 88, 91, 93, 97, 99), and failing to follow general discovery procedures. Magistrate Baughman has timely addressed each motion of the Plaintiff and has attempted to advance this case as expeditiously as possible under the circumstances presented. He has recommended appointment of counsel for Mr. Suldaana to assist in a more orderly and expeditious handling of discovery, however, Mr. Suldaana has declined to accept any such

assistance. For these reasons, Plaintiff's Motion for status report and 3rd Request to Vacate Magistrate referral is DENIED. (ECF #107). IT IS SO ORDERED.



DONALD C. NUGENT
United States District Judge

DATED: October 2, 2018