

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

CHRISTOPHER HARRIS,	)	CASE NO. 1: 15 CV 560
	)	
Plaintiff,	)	JUDGE DONALD C. NUGENT
	)	
v.	)	<u>ORDER ADOPTING</u>
	)	<u>MAGISTRATE'S REPORT AND</u>
	)	<u>RECOMMENDATION</u>
MARGARET A. BRADSHAW,	)	
Warden,	)	
	)	
Defendant.	)	

This matter comes before the Court upon the Report and Recommendation of Magistrate Judge Greg White. The Report and Recommendation (ECF # 9), issued on October 26, 2015, is hereby ADOPTED by this Court. Petitioner filed this action requesting a writ of habeas corpus pursuant to 28 U.S.C. §2254, challenging the constitutionality of his judgment of conviction on March 23, 2015. On July 31, 2015, the Respondent filed a Motion to Dismiss the petition as time-barred. (ECF #7) Petitioner filed a reply on August 18, 2015.

The Magistrate Judge recommends that the Petition be dismissed as time barred. The Petitioner did not file any objections to the Report and Recommendation, nonetheless, the Court has reviewed *de novo* the Report and Recommendation, *see Ohio Citizen Action v. City of Seven Hills*, 35 F. Supp. 2d 575, 577 (N.D. Ohio 1999). The Magistrate’s Report and Recommendation fully and correctly addresses all of the arguments raised by the parties, and properly and justly analyzes the applicable law. This Court, therefore, adopts the Magistrate’s Report in its entirety. Further, for the reasons stated in the Magistrate Judge’s Report and Recommendation, a reasonable jurist could not conclude that dismissal of the Petition is in error or that Petitioner

should be permitted to proceed further. Accordingly, 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: December 21, 2015