

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

Wilson Adams,

Case No. 4:07 CV 780

Petitioner,

MEMORANDUM OPINION  
AND ORDER

-vs-

JUDGE JACK ZOUHARY

Stuart Hudson,

Respondent.

The Court has reviewed the Report and Recommendation of the Magistrate Judge filed February 13, 2008 in this matter. Under the relevant statute (28 U.S.C. § 636(b)(1)(C) (1982)):

Within ten days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court. A judge of the court shall make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made.

In this case, the Court granted Petitioner an extension until March 17, 2008 to file Objections (Doc. No. 26). No Objections have been filed. The failure to file written objections constitutes a waiver of a *de novo* determination by the district court of an issue covered in the report. *United States v. Sullivan*, 431 F.3d 976, 984 (2005).

The Court adopts the Magistrate Judge's Report and Recommendation (Doc. No. 24) in its entirety. Petitioner's Motion for Evidentiary Hearing (Docket No. 8) is denied and Respondent's Motion to Dismiss (Docket No 13) is granted.

IT IS SO ORDERED.

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

March 21, 2008