

PEARSON, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

JEREMY T. HENDREX,)	
)	CASE NO. 4:11cv1779
Petitioner,)	
)	
v.)	JUDGE BENITA Y. PEARSON
)	
TIM BUCHANAN, <i>warden</i> ,)	
)	<u>MEMORANDUM OF OPINION AND</u>
Respondent.)	<u>ORDER</u> [Regarding ECF No. 29]

On November 4, 2013 Magistrate Judge William H. Baughman, Jr., issued a Report (“R&R”) recommending that *pro se* Petitioner’s petition for a writ of habeas corpus pursuant to [28 U.S.C. § 2254](#) be dismissed in part and denied in part. [ECF No. 29](#).

The Federal Magistrates Act requires a district court to conduct a *de novo* review only of those portions of a report and recommendation to which the parties have made an objection. [28 U.S.C. § 636\(b\)\(1\)\(C\)](#). Parties must file any objections to a report and recommendation within fourteen days of service. *Id.*; [Fed. R. Civ. P. 72\(b\)\(2\)](#). Failure to object within this time waives a party’s right to appeal the district court’s judgment. [Thomas v. Arn, 474 U.S. 140, 145 \(1985\)](#); [United States v. Walters, 638 F.2d 947, 949-50 \(6th Cir. 1981\)](#). Absent objection, a district court may adopt a magistrate judge’s report without review. See [Thomas, 474 U.S. at 149](#).

In the instant case, objections to the R&R were due by November 21, 2013. Petitioner has not filed an objection. The Court finds that the Report is supported by the record, and agrees with the magistrate judge’s recommendation.

(4:11cv1779)

Accordingly, the Court adopts the magistrate judge's Report and Recommendation. [ECF No. 29](#). The petition is dismissed in part and denied in part. Furthermore, 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 that 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.

November 27, 2013
Date

/s/ Benita Y. Pearson
Benita Y. Pearson
United States District Judge