

PEARSON, J.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

|                  |   |   |
|------------------|---|---|
| JERMAINE TURNER, | ) |   |
|                  | ) | CASE NO. 5:13cv1089   |
| Petitioner,      | ) |   |
|                  | ) |   |
| v.               | ) | JUDGE BENITA Y. PEARSON                                     |
|                  | ) |   |
| ALAN LAZAROFF,   | ) |   |
|                  | ) | <b><u>MEMORANDUM OF OPINION AND</u></b>                     |
| Respondent.      | ) | <b><u>ORDER</u></b> [Regarding <a href="#">ECF No. 21</a> ] |

On October 31, 2014, Magistrate Judge George J. Limbert issued a Report and Recommendation (“R&R”) recommending that the Court dismiss Petitioner’s petition for a writ of habeas corpus ([ECF No. 1](#)) in its entirety with prejudice, including denying as moot Petitioner’s request for an evidentiary hearing ([ECF No. 9](#)) that the Court had previously held in abeyance ([ECF No. 20](#)).

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 14 days of service. *Id.*; [Fed. R. Civ. Pro. 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 17, 2014. Petitioner

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has not filed an objection. Accordingly, the Court adopts the R&R ([ECF No. 21](#)). Petitioner's petition ([ECF No. 1](#)) is denied in its entirety with prejudice. 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.

IT IS SO ORDERED.

November 26, 2014  
Date

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