

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF OHIO

DANIEL J. CAMPBELL,

Petitioner,

V.

WARDEN, MADISON CORRECTIONAL INSTITUTION,

Respondent.

JUDGMENT IN A CIVIL CASE

Case Number: 1:08-cv-00311

[] Jury Verdict. This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

[x] Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

...the Court ADOPTS and AFFIRMS the Magistrate Judge’s Report and Recommendation in all respects (doc. 20), and DENIES WITH PREJUDICE Petitioner’s Petition for a Writ of Habeas Corpus as time-barred (doc. 4). The Court further FINDS that a certificate of appealability should not issue and CERTIFIES, pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this Order would not be taken in “good faith” upon a showing of financial necessity.

6/10/2010

JAMES BONINI, CLERK

Date

Clerk

s/Kevin Moser

(By) Deputy Clerk