

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

PATRICK LEONARD,

Petitioner,

-vs-

WARDEN, Ohio State Penitentiary,

Respondent.

:

Case No. 1:09-cv-056

:

Chief Judge Susan J. Dlott
Magistrate Judge Michael R. Merz

:

ORDER REGARDING DISCOVERY CUT-OFF

On July 19, 2010, the Magistrate Judge granted in part and denied in part Petitioner's Motion for Discovery ("Amended Order," Doc. No. 25). Petitioner objected to those portions of the Amended Order which denied some of the requested discovery, but neither party objected to that portion of the Amended Order which granted discovery.

The last line of the Amended Order reads "All discovery granted herein shall be completed by November 30, 2010." No party has objected to that portion of the Order. Counsel are reminded that an objection to a magistrate judge's order on a nondispositive motion does not stay the effectiveness of that order. S. D. Ohio Civ. R. 72.3. The Court therefore expects the discovery already granted to be completed by November 30, 2010. If Chief Judge Dlott upholds some or all of Petitioner's Objections, Petitioner will be granted additional time to complete that discovery.

August 26, 2010.

s/ **Michael R. Merz**
United States Magistrate Judge