

UNITED STATES DISTRICT COURT

SOUTHERN

DISTRICT OF

OHIO

MAURICE M. DONALD,

Petitioner,

JUDGMENT IN A CIVIL CASE

V.

WARDEN, PICKAWAY CORRECTIONAL
INSTITUTION,

Case Number: 1:12-cv-00897

Respondent.

☐ **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.

☒ **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 Report and Recommendation in all respects (doc. 12), and DISMISSES Petitioner's Petition for a Writ of Habeas Corpus (doc. 2) with prejudice. The Court further FINDS that a certificate of appealability should not issue with respect to Petitioner's claim relief alleged in the Petition, and CERTIFIES pursuant to 28 U.S.C. § 1915(a)(3) that with respect to any application by Petitioner to proceed on appeal in forma pauperis, an appeal of this Order would not be taken in "good faith" and therefore the Court DENIES Petitioner leave to appeal in forma pauperis upon a showing of financial necessity.

5/22/2014

Date

JOHN P. HEHMAN, CLERK

Clerk

s/Kevin Moser

(By) Deputy Clerk