

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

DERRICK BRYANT,	:	Case No. 1:13-cv-803
	:	
Petitioner,	:	Judge Timothy S. Black
	:	Magistrate Judge Karen L. Litkovitz
vs.	:	
	:	
Warden, CHILLICOTHE	:	
CORRECTIONAL INSTITUTION,	:	
	:	
Respondent.	:	

**DECISION AND ENTRY ADOPTING THE REPORT AND  
RECOMMENDATIONS OF THE UNITED STATES MAGISTRATE JUDGE  
(Doc. 18)**

This case is before the Court pursuant to the Order of General Reference in the United States District Court for the Southern District of Ohio Western Division to United States Magistrate Judge Karen L. Litkovitz. Pursuant to such reference, the Magistrate Judge reviewed the pleadings filed with this Court and, on February 9, 2015, submitted a Report and Recommendations. (Doc. 18). The Petitioner timely filed objections. (Doc. 20).<sup>1</sup>

As required by 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court has reviewed the comprehensive findings of the Magistrate Judge and considered *de novo* all of the filings in this matter. Upon consideration of the foregoing, the Court does determine that such Report and Recommendations should be and is hereby adopted in its entirety. Accordingly:

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<sup>1</sup> The Petitioner’s objections simply reiterate the arguments set forth in his memorandum contra to the motion to dismiss. (See Doc. 13). These arguments were fully addressed in the Magistrate Judge’s Report and Recommendations. (See Doc. 18).

1. The Report and Recommendations (Doc. 18) is **ADOPTED**;
2. Respondent's motion to dismiss (Doc. 10) is **GRANTED** and Petitioner's petition for writ of habeas corpus (Doc. 1) is **DISMISSED** with prejudice;
3. A certificate of appealability under 28 U.S.C. § 2253 is **DENIED**; and
4. An application to proceed on appeal *in forma pauperis* under 28 U.S.C. Section 1915(a)(3) is **DENIED**.

**IT IS SO ORDERED.**

Date: 3/30/2015

*s/ Timothy S. Black*  
Timothy S. Black  
United States District Judge