

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

Richard J. Jones,)	
)	
Petitioner,)	Case No. 1:14-CV-839
)	
vs.)	
)	
Warden, Lebanon)	
Correctional Institution,)	
)	
Respondent.)	

ORDER

Petitioner’s motion for reconsideration of the Court’s denial of his petition for a writ of habeas corpus (Doc. No. 37) and Petitioner’s objections to Magistrate Judge Merz’s recommendation that his motion for reconsideration be denied (Doc. No. 43), are denied as frivolous. As Judge Merz accurately states in his Report (Doc. No. 39), Petitioner’s motion for reconsideration simply reiterates arguments already rejected by the Court on the merits of his habeas petition.

IT IS THEREFORE ORDERED

1. Petitioner’s objections to the Report and Recommendation (Doc. No. 43) are not well-taken and are **OVERRULED**.
- 2 .The Court **ADOPTS** the Report and Recommendation (Doc. No. 39).
3. Petitioner’s motion for reconsideration (Doc. No. 37) is not well-taken and is **DENIED**.
4. A certificate of appealability will not issue with respect to this order because under the first prong of the applicable two-part standard established in Slack v. McDaniel, 529 U.S. 473, 484-85 (2000), “jurists of reason” would not find it debatable whether this Court is correct in its procedural ruling. Petitioner remains free to request issuance of the certificate of appealability from the Court of Appeals. See 28 U.S.C. § 2253(c) and Fed. R. App. P. 22(b).

5. The Court certifies pursuant to 28 U.S.C.A. § 1915(a)(3) that an appeal of this order would not be taken in good faith, and therefore **DENIES** Petitioner leave to appeal this order in forma pauperis. See Fed. R. App. P. 24(a); Kincade v. Sparkman, 117 F.3d 949, 952 (6th Cir. 1997).

6. Motions to reconsider this order, or the Court's order denying Petitioner's petition for a writ of habeas corpus, will be summarily denied.

Date June 13, 2016

s/Sandra S. Beckwith
Sandra S. Beckwith
Senior United States District Judge