Foster v. Warden, Toledo Correctional Institution Doc. 146

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Christopher Foster,

Petitioner,

v. Case No. 1:15cv713

Ronald Erdos, Warden,
Southern Ohio Correctional Facility, Judge Michael R. Barrett

Respondent.

ORDER

This matter is before the Court on the Report and Recommendation ("R&R") filed by the Magistrate Judge on January 30, 2020 (Doc. 145).

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). No objections to the Magistrate Judge's R&R (Doc. 145) have been filed.

Accordingly, it is **ORDERED** that the R&R (Doc. 145) of the Magistrate Judge is hereby **ADOPTED.** Consistent with the recommendation by the Magistrate Judge, Petitioner's Motion under 28 U.S.C. § 2244(d)(1)(B) (Doc. 144) is denied for lack of jurisdiction.

Any request for certificate of appealability or request to certify an appeal would not be taken in good faith and would be denied.

IT IS SO ORDERED.

/s/ Michael R. Barrett
Michael R. Barrett, Judge
United States District Court

Dockets.Justia.com