

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

LAHAI KANU, : Case No. 1:16-cv-756
: :
Petitioner, : Judge Timothy S. Black
: Magistrate Judge Karen L. Litkovitz
vs. : :
: :
SHERIFF BUTLER COUNTY, : :
: :
Respondent. : :

**DECISION AND ENTRY
ADOPTING THE REPORT AND RECOMMENDATIONS
OF THE UNITED STATES MAGISTRATE JUDGE (Doc. 12)**

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 November 7, 2016, submitted a Report and Recommendations. (Doc. 12). The Petitioner filed objections. (Doc. 14).¹

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:

¹ Petitioner's objections merely restate arguments addressed by the Magistrate Judge in the Report and Recommendations. Accordingly, for the reasons stated the Report and Recommendations, the Objections (Doc. 14) are **OVERRULED**.

1. Petitioner's *pro se* petition for writ of habeas corpus (Doc. 1) is **DENIED**;
2. A certificate of appealability will not issue because Petitioner has not stated a viable claim of the denial of a constitutional right and the issues presented are not adequate to deserve encouragement to proceed further; and
3. The Court denies any application by Petitioner to proceed on appeal *in forma pauperis* because an appeal of this Order would not be taken in good faith.

IT IS SO ORDERED.

Date: 1/3/17

Timothy S. Black
Timothy S. Black
United States District Judge