

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

James Sudberry,

Petitioner,

v.

Case No. 1:17cv045

Warden, Lebanon
Correctional Institution,

Judge Michael R. Barrett

Respondent.

ORDER

This matter is before the Court on the Report and Recommendation filed by the Magistrate Judge on February 28, 2017 (Doc. 5).

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 Report and Recommendation (Doc. 5) have been filed.

Accordingly, it is **ORDERED** that the Report and Recommendation (Doc. 5) of the Magistrate Judge is hereby **ADOPTED**. The Petition (Doc. 4) is **TRANSFERRED** to the Sixth Circuit for further proceedings consistent with the Recommendation by the Magistrate Judge.

IT IS SO ORDERED.



Michael R. Barrett
United States District Judge