

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

Grady Dalmida,	:	
	:	
Petitioner(s),	:	
	:	Case Number: 1:17cv488
vs.	:	
	:	Judge Susan J. Dlott
Warden, Toledo Correctional Institute,	:	
	:	
Respondent(s).	:	

ORDER

This matter 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 Michael R. Merz. Pursuant to such reference, the Magistrate Judge reviewed the pleadings and filed with this Court on April 11, 2019 a Report and Recommendation (Doc. 22). Subsequently, the petitioner filed objections to such Report and Recommendation (Doc. 25) and the respondent filed a response to the objections (Doc. 26).

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 Recommendation should be adopted.

Accordingly, petitioner’s petition is DISMISSED with prejudice (Doc. 1). Petitioner is also DENIED a certificate of appealability. This Court CERTIFIES to the Sixth Circuit that an appeal would be objectively frivolous, therefore, petitioner is not permitted to proceed *in forma pauperis*.

IT IS SO ORDERED.

  
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 Judge Susan J. Dlott  
 United States District Court