

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

MUSA IKHARO,	:	Case No. 1:18-cv-385
	:	
Petitioner,	:	Judge Timothy S. Black
	:	
vs.	:	Magistrate Judge Stephanie K.
	:	Bowman
	:	
UNITED STATES ATTORNEY	:	
GENERAL, <i>et al.</i> ,	:	
	:	
Respondents.	:	

**DECISION AND ENTRY
ADOPTING THE REPORT AND RECOMMENDATIONS
OF THE UNITED STATES MAGISTRATE JUDGE (Doc. 28)**

This case is before the Court pursuant to the Order of General Reference to United States Magistrate Judge Stephanie K. Bowman. Pursuant to such reference, the Magistrate Judge reviewed the pleadings filed with this Court and, on July 17, 2019, submitted a Report and Recommendations. (Doc. 28). Petitioner Musa Ikharo objected to the Report and Recommendations. (Doc. 29).

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 finds that Petitioner's objection (Doc. 29) is not well-taken and **OVERRULED**.

Moreover, the Court notes that Petitioner has presented substantively the same arguments in this Petition and objections as he has in other petitions before this Court and before the Sixth Circuit. And, since the Magistrate Judge submitted the Report and

Recommendations, these arguments have been considered – and rejected – by this Court and the Sixth Circuit. *See, e.g., Ikharo v. Att’y Gen. of United States*, No. 20-3250, 2020 WL 5126630 (6th Cir. Aug. 13, 2020); *Ikharo v. Barr*, No. 18-4153, 2020 WL 10147140 (6th Cir. July 21, 2020); *Ikharo v. Shanks*, No. 1:19-cv-256, 2020 WL 3490376 (S.D. Ohio Feb. 21, 2020) (Bowman, M.J.), *report and recommendation adopted*, 2020 WL 3488925 (S.D. Ohio June 26, 2020) (McFarland, J.) (appeal to the Sixth Circuit dismissed for want of prosecution); *Ikharo v. Att’y Gen. of United States*, No. 1:19-cv-175, 2020 WL 59662, at *1 (S.D. Ohio Jan. 6, 2020) (Litkovitz, M.J.), *report and recommendation adopted*, 2020 WL 470272 (S.D. Ohio Jan. 29, 2020) (Dlott, J.), *certificate of appealability denied*, 2020 WL 2085602 (S.D. Ohio Apr. 30, 2020) (Dlott, J.), *and aff’d*, No. 20-3250, 2020 WL 5126630 (6th Cir. Aug. 13, 2020).

Accordingly, for the reasons stated above:

1. The Report and Recommendation (Doc. 28) is **ADOPTED**;
2. Petitioner’s objections (Doc. 29) are **OVERRULED**;
3. Petitioner’s *pro se* petition, as amended, for writ of habeas corpus pursuant to 28 U.S.C. § 2241 (Docs. 1, 27) is **DENIED**;
4. The Court **FINDS** that a certificate of appealability should not issue in this case because petitioner has not stated a “viable claim of the denial of a constitutional right,” nor are the issues presented “adequate to deserve encouragement to proceed further.” *See Slack v. McDaniel*, 529 U.S. 473, 475 (2000) (citing *Barefoot v. Estelle*, 463 U.S. 880, 893 & n.4 (1983)); see also 28 U.S.C. § 2253(c); Fed. R. App. P. 22(b);
5. The Court **CERTIFIES** that pursuant to 28 U.S.C. § 1915(a)(3), an appeal of this Order would not be taken in good faith, and therefore **DENIES** petitioner leave to appeal *in forma pauperis*; and

6. The Clerk shall enter judgment accordingly, whereupon this case is **TERMINATED** from the docket of this Court.

IT IS SO ORDERED.

Date: 8/18/2021

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