

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

MICHAEL R. TURNER,

Petitioner,

-vs-

STUART HUDSON, Warden,

Respondent.

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Case No. 2:07-cv-595

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District Judge Timothy S. Black  
Magistrate Judge Michael R. Merz

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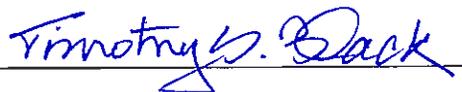
**RECOMMITTAL ORDER**

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This capital habeas corpus case is before the Court on Petitioner's Supplemental Memorandum in Support of Objections (Doc. No. 174) to the Magistrate Judge's Report and Recommendations and Supplemental Report and Recommendations on the merits and motion for certificate of appealability. The Warden has filed a Response to those Objections (Doc. No. 179) and Petitioner has, with court permission, filed a Reply (Doc. No. 181).

The District Judge has preliminarily considered the Supplemental Memorandum and believes the issues raised therein will be more appropriately resolved after further analysis by the Magistrate Judge. Accordingly, pursuant to Fed. R. Civ. P. 72(b)(3), this matter is hereby returned to the Magistrate Judge with instructions to file a supplemental report and recommendations analyzing the new issues raised by Petitioner on the basis of 2012 decisions by the United States Supreme Court.

October 12, 2012.



Timothy S. Black  
United States District Judge