

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

SCOTT WAGNER,

Petitioner,

v.

CASE NO. 2:10-CV-446

JUDGE MARBLEY

MAGISTRATE JUDGE KING

WARDEN, SOUTHERN OHIO
CORRECTIONAL FACILITY,

Respondent.

ORDER

On May 22, 2012, the Magistrate Judge denied Petitioner's request for an evidentiary hearing and recommended that the petition for a writ of habeas corpus be dismissed. *Order and Report and Recommendation*, Doc. No. 34. Although Petitioner was granted three extensions of time to file objections, see Doc. Nos. 37, 40, 45, and although the parties were advised of the consequences of their failure to file objections, no objections have been filed.

The *Report and Recommendation*, Doc. No. 34, is **ADOPTED** and **AFFIRMED**. This action is hereby **DISMISSED**.

The Clerk is **DIRECTED** to enter **FINAL JUDGMENT**.

s/Algenon L. Marbley
ALGENON L. MARBLEY
United States District Judge

DATED: October 29, 2012