

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

GEORGE GAONA,

Petitioner,

v.

ERNIE MOORE, WARDEN,  
LEBANON CORRECTIONAL  
INSTITUTION,

Respondent.

CASE NO. 2:13-CV-1178  
Judge Marbley  
Magistrate Judge King

ORDER

On April 25, 2014, the United States Magistrate Judge recommended that this habeas corpus action under 28 U.S.C. § 2254 be dismissed as procedurally defaulted. *Report and Recommendation*, ECF 10. Although the parties were advised of their right to object to that recommendation and of the consequences of their failure to do so, there has nevertheless been no objection.

The *Report and Recommendation* is hereby **ADOPTED AND AFFIRMED**. The claims asserted in this action have been procedurally defaulted. The action is therefore **DISMISSED**.

The Clerk shall enter **FINAL JUDGMENT**.

Moreover, the Court declines to issue a certificate of appealability.

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