

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

GERALD D. FIELDS,

Petitioner,

vs.

Civil Action 2:14-cv-1694
Judge Graham
Magistrate Judge King

WARDEN, FRANKLIN MEDICAL CENTER,

Respondent.

ORDER

This habeas corpus action under 28 U.S.C. § 2254 was dismissed, pursuant to the provisions of Rule 4 of the Rules Governing Section 2254 Cases in the United States District Courts, for failure to state a claim for relief. *Report and Recommendation*, ECF 3; *Order*, ECF 6; *Judgment*, ECF 7. This matter is now before the Court on petitioner's motion to reconsider that dismissal. *Motion for Reconsideration*, ECF 11.

The *Petition* alleged, "Violation of the Fourth and Fourteenth Amendments. No substantive law of record filed in this matter." *Id.* at PAGEID# 8. In dismissing the action, the Court reasoned that the *Petition* contained no factual allegations demonstrating that petitioner is in custody in violation of the Constitution or laws of the United States. *Order*, ECF 6 (citing Rule 2(c) of the Rules Governing Section 2254 Cases in the United States District Courts). In his *Motion for Reconsideration*, petitioner insists that he alleged "a violation of federal constitutional law, ie, Fourth Amendment, and

