

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

ANDREW McKINNEY,

Petitioner,

CASE NO. 2:14-CV-1992

CHIEF JUDGE EDMUND A. SARGUS, JR.

MAGISTRATE JUDGE ELIZABETH P. DEAVERS

v.

WARDEN, WARREN
CORRECTIONAL INSTITUTION,

Respondent.

ORDER

The Magistrate Judge issued a Report and Recommendation to the effect that claims one, three and four be transferred to the United States Court of Appeals for the Sixth Circuit to consider whether a successive or second habeas corpus petition should be authorized under 28 U.S.C. § 2244(b)(3)(A). The Magistrate Judge also determined that the remainder of the claims should be dismissed.

The Petitioner has filed timely objections to the Report and Recommendation. The Court has reviewed and considered the objections, but finds them without merit. The Court ADOPTS the Report and Recommendation.

It is ORDERED that claims one, three and four are transferred to the United States Court of Appeals for the Sixth Circuit. As to all other claims, such claims are DISMISSED. The Motion to Expand the Record, Motion for Stay and Abeyance, Motion for Discovery and Evidentiary Hearing, Motion for Leave to Supplement the Record and Motion to Dismiss Respondent's Reply are DENIED.

This case is DISMISSED.

9-29-2015
DATE



EDMUND A. SARGUS, JR.
CHIEF UNITED STATES DISTRICT JUDGE