

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

MICHAEL SWIHART,

Petitioner,

v.

RHONDA R. RICHARD, et al.,

Respondents.

**CASE NO. 2:16-CV-158
JUDGE GEORGE C. SMITH
Magistrate Judge Jolson**

OPINION AND ORDER

On March 7, 2017, the Magistrate Judge issued a *Report and Recommendation* denying Petitioner's Motion for Discovery (Doc. 9) and recommending that the petition for a writ of habeas corpus pursuant to 28 U.S.C. 2254 be dismissed. (*See* Doc. 12). Although the parties were advised of the right to object to the Magistrate Judge's *Report and Recommendation* and of the consequences of failing to do so, and although Petitioner was given an extension of time for the filing of objections, no objections have been filed.

The *Report and Recommendation* (Doc. 12) is **ADOPTED** and **AFFIRMED**. Petitioner's *Motion for Discovery* (Doc. 9) is **DENIED**. This action is hereby **DISMISSED**.

IT IS SO ORDERED.

s/ George C. Smith
GEORGE C. SMITH, JUDGE
UNITED STATES DISTRICT COURT