

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

JOSEPH CHURCHILL,

Petitioner,

v.

CASE NO. 2:17-CV-0690

JUDGE JAMES L. GRAHAM

Magistrate Judge Kimberly A. Jolson

WARDEN, SOUTHEASTERN
CORRECTIONAL COMPLEX,

Respondent.

OPINION AND ORDER

On October 5, 2017, the Magistrate Judge issued a *Report and Recommendation* pursuant to Rule 4 of the Rules Governing Section 2254 Cases in the United States District Courts recommending that this action be dismissed. (Doc. 7.) 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 the Court provided Petitioner with an extension of time for the filing of objections, no objections have been filed.

The *Report and Recommendation* (Doc. 7) is **ADOPTED** and **AFFIRMED**. This action is hereby **DISMISSED**.

Petitioner has failed his right to appeal by failing to file objections. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). Therefore, the Court **DECLINES** to issue a certificate of appealability.

IT IS SO ORDERED.

Date: December 1, 2017

s/James L. Graham
JAMES L. GRAHAM
United States District Judge