

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

O'BRYAN SHADE,

Case No. 2:24-cv-2694

Petitioner,

:

- vs -

District Judge James L. Graham
Magistrate Judge Michael R. MerzWARDEN, Franklin County Corrections
Center II,

:

Respondent.

ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (ECF No. 7), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections were filed, and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby ADOPTS said Report and Recommendations.

Accordingly, it is hereby ORDERED that the Petition be DISMISSED without prejudice as moot. Petitioner is DENIED any requested certificate of appealability and the Court hereby certifies to the United States Court of Appeals that an appeal would be objectively frivolous and therefore should not be permitted to proceed *in forma pauperis*.

March 12, 2025.

/s/James L. Graham

 James L. Graham
United States District Judge