Mack v. United States of America Doc. 3

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

| | | |
|---|---|---|
| UNITED STATES OF AMERICA,<br><br>Plaintiff,<br><br>- vs -<br><br>DARWIN KEITH MACK, JR.,<br><br>Defendant. | :<br><br><br><br><br><br>: | Case No. 2:24-cv-03474<br>Also Case No. 2:19-cr-001<br><br><br>District Judge Edmund A. Sargus, Jr.<br>Magistrate Judge Michael R. Merz |

## ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (ECF No. 2) to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto 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 with prejudice. Defendant/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*.

July 29, 2024.

s/Edmund A. Sargus, Jr.
District Judge Edmund A. Sargus, Jr.
United States District Court

Dockets.Justia.com