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IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

John W. Slagle,

Petitioner,	:	Case No. 3:08-cv-146
- vs -	:	District Judge Thomas M. Rose Magistrate Judge Michael R. Merz
Court of Common Pleas of Montgomery County, Ohio.	:	
Respondent.	:	

ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. #45), 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 Petitioner's Motion for Certificate of Appealability is GRANTED.

November 20, 2009. ***THOMAS M. ROSE***

Thomas M. Rose
United States District Judge

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