

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

STEVEN C. JONES

Petitioner,

-v-

Case No. C-3:08-cv-147

**Judge Thomas M. Rose
Magistrate Judge Sharon L. Ovington**

**TIMOTHY BRUNSMAN, Warden,
Marion Correctional Institution**

Respondent.

**ENTRY AND ORDER OVERRULING JONES' OBJECTIONS (Doc. #26)
TO THE MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATIONS; ADOPTING THE MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATIONS (Doc. #25) IN ITS ENTIRETY;
AND OVERRULING JONES' MOTION FOR AN EXTENSION OF TIME
TO FILE OBJECTIONS (Doc. #23)**

This matter comes before the Court pursuant to pro se Petitioner Steven C. Jones' ("Jones'") Objections (doc. #26) to Magistrate Judge Sharon L. Ovington's Report and Recommendations (doc. #25) regarding Jones' Motion for an Extension of Time To File Objections (doc. #23). This Report and Recommendations recommends that Jones' Motion for Extension of Time To File Objections be overruled.

On December 14, 2010, this Court adopted the Magistrate Judge's Report and Recommendations and dismissed Jones' Petition for a Writ of Habeas Corpus. (Doc. #19.) Three weeks later, Jones filed a Motion for Extension of Time to file a Notice of Appeal. (Doc. #21.) This Motion was granted in part giving Jones until February 11, 2011, to file a Notice of Appeal. (Doc. #22.) Jones did not file a Notice of Appeal, and, instead, on February 15, 2011, filed a Motion for Extension of Time To File Objections to the Report and Recommendations regarding

his Petition for a Writ of Habeas Corpus. The Warden has not responded to this Motion.

Although the time to file Objections and the time to file a Notice of Appeal have expired, Jones now seeks an sixty-day extension of the time to file objections to the Report and Recommendations regarding his Petition for a Writ of Habeas Corpus. Jones offers several reasons for filing beyond the extended deadlines that relate to his lack of legal knowledge, his prisoner-status and the availability of legal advice. However, none of these reasons are persuasive.

As required by 28 U.S.C. §636(b) and Federal Rules of Civil Procedure Rule 72(b), the District Judge has made a de novo review of the record in this case. Upon said review, the Court finds that Jones' Objections to the Magistrate Judge's Report and Recommendations regarding his request for a time extension are not well-taken, and they are hereby OVERRULED. The Magistrate Judge's Report and Recommendations is adopted in its entirety.

Jones' Motion for Extension of Time To File Objections is OVERRULED. Finally, The captioned cause remains terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

DONE and ORDERED in Dayton, Ohio, this Sixth Day of April, 2011.

s/Thomas M. Rose

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record
Steven C. Jones at his last address of record