

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

KEITH J. WILLIAMS,

Petitioner,

-v-

Case No. C-3:08-cv-294

Judge Thomas M. Rose

Magistrate Judge Sharon L. Ovington

OHIO ADULT PAROLE AUTHORITY,

Respondent.

ENTRY AND ORDER OVERRULING WILLIAMS' OBJECTIONS (Doc. #27) TO THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATIONS REGARDING WILLIAMS' APPLICATION TO PROCEED ON APPEAL IN FORMA PAUPERIS; ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATIONS (Doc. #26) IN ITS ENTIRETY AND DENYING WILLIAMS' APPLICATION FOR LEAVE TO APPEAL IN FORMA PAUPERIS

This matter comes before the Court pursuant to pro se Petitioner Keith J. Williams' ("Williams") Objections (doc. #27) to Magistrate Judge Sharon L. Ovington's Report and Recommendations (doc. #26) which addresses Williams' Application To Appeal In Forma Pauperis. Williams' Petition for Writ of Habeas Corpus has been denied (doc. #14) and his Motion and Application for a Certificate of Appealability has also been denied. Williams now seeks to appeal in forma pauperis.

The Report and Recommendations now before the Court recommends that Williams' Application To Appeal In Forma Pauperis be denied. Williams has filed Objections to this Report and Recommendations (doc. #27) and the time has run and the Ohio Adult Parole Authority has not responded to Williams' Objections. Thus, Williams' Objections to this Report and Recommendations are ripe for decision.

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 Williams' Objections to the Magistrate Judge's Report and Recommendations now before the Court are not well-taken, and they are hereby OVERRULED. An appeal of the denial of Williams' Petition for a Writ of Habeas Corpus would not be taken in good faith. Reasonable jurists could not debate that the claims Williams raised in his Petition for Writ of Habeas Corpus are meritless. Thus, the Magistrate Judge's Report and Recommendations now before the Court is adopted its entirety.

Williams' Application To Proceed On Appeal In Forma Pauperis is DENIED. This case remains terminated on the docket records of this Court.

DONE and ORDERED in Dayton, Ohio, this Thirty-First Day of January, 2011.

s/Thomas M. Rose

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record
Keith J. Williams at his last address of record