

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

STATE OF OHIO

-vs-

ANDRE D. GRANT

Plaintiff,

**Case No. 3-04 -CR-191
3:08-CV-442**

District Judge Thomas M. Rose

Defendant.

**ENTRY AND ORDER OVERRULING THE OBJECTIONS (DOC. #234) BY
DEFENDANT TO THE REPORT AND RECOMMENDATIONS OF THE MAGISTRATE
JUDGE (DOC. #231) FILED DECEMBER 19, 2008, ADOPTING SAID REPORT AND
RECOMMENDATIONS; DENYING DEFENDANT'S MOTION AS TO THAT PORTION
SEEKING JAIL TIME CREDIT FROM JANUARY 25, 2005 THROUGH APRIL 5, 2006**

This matter comes before the Court pursuant to a Report and Recommendation (Doc. #231) of Magistrate Judge Michael R. Merz, filed December 3, 2008 and Objections (Doc. #234) to that Report and Recommendation filed by Defendant on December 19, 2008.

The Court has reviewed the comprehensive findings of the Magistrate Judge and considered de novo all of the filings in this matter. Upon full and complete consideration of the foregoing, the Court has determined that the Objections filed are not well-founded and therefore, OVERRULED. The Report and Recommendation of the Magistrate Judge is ADOPTED in its entirety.

The Defendant's Motion is DENIED as to that portion seeking jail time credit from January 25, 2005 through April 5, 2006.

IT IS SO ORDERED.

January 21, 2009

***S/THOMAS M. ROSE**

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE