

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

JEFFREY ANTONIO BROWN, : Case No. 3:08-cv-477
 :
 Petitioner, : Judge Timothy S. Black
 : Magistrate Judge Sharon L. Ovington
vs. :
 :
 WARDEN, Warren Correctional Institution, :
 :
 Respondent. :

ORDER: (1) ADOPTING THE REPORT AND RECOMMENDATIONS OF THE UNITED STATES MAGISTRATE JUDGE (Doc. 77); and (2) DENYING PETITIONER'S APPLICATION/MOTION FOR ISSUANCE OF A CERTIFICATE OF APPEALABILITY (Doc. 73) and MOTION FOR LEAVE TO APPEAL IN FORMA PAUPERIS (Doc. 76)

This case is before the Court pursuant to the Order of General Reference in the United States District Court for the Southern District of Ohio Western Division to United States Magistrate Judge Sharon L. Ovington. Pursuant to such reference, the Magistrate Judge reviewed the pleadings filed with this Court, and, on April 25, 2012, submitted a Report and Recommendations. (Doc. 77). The Petitioner did not timely file any objections.

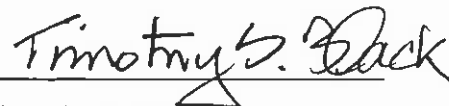
As required by 29 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court has reviewed the comprehensive findings of the Magistrate Judge and considered *de novo* all of the filings in this matter. Upon consideration of the foregoing, the Court does determine that such Report and Recommendations should be and is hereby adopted in its entirety.

Accordingly:

1. The Report and Recommendations (Doc. 77) is **ADOPTED**;
2. Petitioner's Application/Motion for Issuance of a Certificate of Appealability (Doc. 73) is **DENIED**;
3. Petitioner's Motion for Leave to Appeal in Forma Pauperis (Doc. 76) is **DENIED**; and
3. This case remains terminated on the docket of this Court.

IT IS SO ORDERED.

Date: 5/15/12



Timothy S. Black
United States District Judge

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