

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

RONALD E. HARRIS, III,	:	Case No. 3:09-cv-60
	:	
Petitioner,	:	Judge Timothy S. Black
	:	Magistrate Judge Michael J. Newman
vs.	:	
	:	
WARDEN, Chillicothe Correctional	:	
Institution,	:	
	:	
Respondent.	:	

**ORDER AND ENTRY DENYING ISSUANCE OF A CERTIFICATE OF  
APPEALABILITY AND CERTIFYING THAT AN APPEAL WOULD NOT BE  
TAKEN IN GOOD FAITH**

This case is before the Court on Petitioner’s Notice of Appeal (Doc. 47).

Petitioner seeks to appeal this Court’s Order and Entry (Doc. 46) in which the Court denied Petitioner’s Motion for Summary Judgment review.

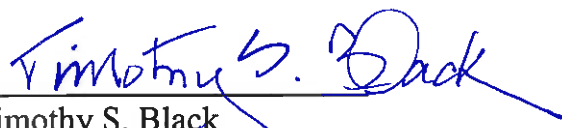
Petitioner originally filed a Petition for Writ of Habeas Corpus on February 13, 2009 (Doc. 1), which was denied and dismissed by the Court following a de novo review of the parties’ briefings and the Report and Recommendations of the Magistrate Judge. (Doc. 29). A final Judgment Entry denying and dismissing the Petition was docketed on December 6, 2011. (Doc. 30). Thereafter, Petitioner’s untimely objections to the Report and Recommendations of the Magistrate Judge were denied along with Petitioner’s motion to amend judgment and his request for issuance of a certificate of appealability. On August, 21, 2012, the Sixth Circuit also denied Petitioner’s motion for certificate of appealability and his request to proceed in forma pauperis. (Doc. 42).

On April 10, 2013, over seven months after the Sixth Circuit denied Petitioner's requests, Petitioner filed a motion captioned as a "Motion for Summary Judgment" in this case (Doc. 43), which the Court struck from the docket after noting that final judgment was previously entered against Petitioner on December 6, 2011. (Docs. 29, 30). Petitioner then filed a second "Motion for Summary Judgment Review[,]" which the Court construed as a motion for reconsideration of the Court's earlier decision to strike his "Motion for Summary Judgment." The Court denied Petitioner's request for reconsideration. (Doc. 46). Petitioner now seeks to appeal this Court's denial of his request for reconsideration, which requires that the Court issue a certificate of appealability.

Based on all of the foregoing, the Court **DENIES** any requested certificate of appealability and **CERTIFIES** that there is no good faith basis for appeal pursuant to Fed. R. App. P. 24(a)(3).

**IT IS SO ORDERED.**

Date: 11/4/13

  
Timothy S. Black  
United States District Judge