

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON

CEDRIC J. SINKFIELD, SR.,

Petitioner,

vs.

WARDEN, SOUTHERN OHIO  
CORRECTIONAL FACILITY,

Respondent.

:  
:  
:  
:  
:

Case No. 10-CV-253

JUDGE WALTER HERBERT RICE

---

DECISION AND ENTRY ADOPTING REPORT AND RECOMMENDATIONS OF THE UNITED STATES MAGISTRATE JUDGE (DOC. #3) AND OVERRULING PETITIONER’S OBJECTIONS THERETO (DOC. #6); JUDGMENT TO ENTER IN FAVOR OF RESPONDENT AND AGAINST PETITIONER HEREIN, DISMISSING THE WITHIN PETITION FOR WRIT OF HABEAS CORPUS AS TIME BARRED; CERTIFICATE OF APPEALABILITY AND ANTICIPATED REQUEST TO APPEAL *IN FORMA PAUPERIS* DENIED; TERMINATION ENTRY

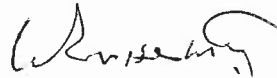
---

Based upon the reasoning and citations of authority set forth in the Report and Recommendations of the United States Magistrate Judge, filed June 29, 2010 (Doc. #3), as well as upon a thorough *de novo* review of this Court’s file and the applicable law, said Report and Recommendations are adopted in their entirety and Petitioner’s Objections to said judicial filing (Doc. #6) are overruled. Judgment will be ordered entered in favor of Respondent and against Petitioner herein, dismissing the within Petition for Writ of Habeaus Corpus as time-barred.

Given that Petitioner has failed to make out a substantial showing of the denial of a constitutional right and, moreover, since reasonable jurists would not disagree with this Court's opinion rendered herein, this Court denies a Certificate of Appealability. Moreover, given that any appeal of this Court's judgment would be objectively frivolous, this Court denies a subsequent motion for leave to appeal *in forma pauperis*.

The captioned cause is hereby ordered terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

September 30, 2010



---

WALTER HERBERT RICE  
UNITED STATES DISTRICT JUDGE

Copies to:

Cedric J. Sinkfield, *pro se* Petitioner  
Counsel of record.