

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

PHILLIP DOUGLAS JACOBS

Petitioner,

-v-

**WARDEN, Marion Correctional
Institution**

Respondent.

Case No. C-3:11-cv-029

**Judge Thomas M. Rose
Magistrate Judge Sharon L. Ovington**

ENTRY AND ORDER DENYING JACOBS' CONSOLIDATED MOTION TO REOPEN (Doc. #28) AND HIS AMENDED CONSOLIDATED MOTION TO REOPEN (Doc. #29); OVERRULING JACOBS' OBJECTIONS (Doc. #31) AND AMENDED OBJECTIONS (Doc. #32) TO THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATIONS REGARDING JACOBS' MOTIONS TO REOPEN; ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATIONS (Doc. #30) IN ITS ENTIRETY AND CERTIFYING THAT ANY APPEAL OF THIS ORDER IS NOT TAKEN IN GOOD FAITH

This matter comes before the Court pursuant to pro se Petitioner Phillip Douglas Jacobs' ("Jacobs'") Objections (doc. #31) and Amended Objections (Doc. #32) to Magistrate Judge Sharon L. Ovington's Report and Recommendations (doc. #30) regarding Jacobs' Motions To Reopen. Previously in this case, the Court found Jacobs' habeas corpus petition to be a second or successive petition and entered judgment against Jacobs. Jacobs then turned to the Sixth Circuit Court of Appeals to no avail.

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 Jacobs' Consolidated Motion To Reopen (doc. #28) and his Amended Consolidated Motion To Reopen (doc. #29) Motion To Alter or Amend are without merit and are thus

DENIED. Further, upon said review, Jacobs' Objections (doc. #31) and Supplemental Objections (doc. 332) to the Magistrate Judge's Report and Recommendations regarding his Motions To Reopen are not well-taken, and they are hereby OVERRULED. The Magistrate Judge's Report and Recommendations is adopted in its entirety.

Any appeal taken from this Entry and Order would not be taken in good faith. Finally, the captioned cause shall remain terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

DONE and **ORDERED** in Dayton, Ohio, this Twentieth Day of November, 2012.

s/Thomas M. Rose

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record
Phillip Douglas Jacobs at his last address of record