

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

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| WILLIAM R. DIXON, | : | Case No. 3:11-cv-150 |
| Petitioner, | | |
| vs. | : | District Judge Thomas M. Rose Magistrate Judge Michael J. Newman |
| WARDEN, SOUTHERN OHIO CORRECTIONAL FACILITY, | : | |
| Respondent. | : | |

**ORDER REGARDING PETITIONER’S OBJECTIONS TO
THE REPORT AND RECOMMENDATION (DOC. 20)**

This matter is before the Court upon a filing by Petitioner, through counsel, titled “Objections to Report and Recommendation” (doc. 20). In that filing, counsel makes objections to the undersigned’s January 7, 2013 Report and Recommendation (doc. 19). *See* doc. 20. However, counsel also requests an extension of time for Petitioner to file separate *pro se* objections. *See id.* at PageID 2193. The Court accepts this filing (doc. 20) as Petitioner’s objections to the Report and Recommendation. Nonetheless, recognizing the time period for filing objections has not yet expired, the Court **ADVISES** Petitioner that, if he wishes to file *pro se* supplemental objections and needs more time to do so, he should file a motion for an extension of time. Further, the Court first **ADVISES** Petitioner that he does not have a right to hybrid representation in these *habeas corpus* proceedings -- *i.e.*, Petitioner cannot simultaneously be represented by counsel and make *pro se* filings. *Accord Ahmed v. Houk*, No. 2:07-cv-658, 2008 U.S. Dist. LEXIS 109687, at *5-7 (S.D. Ohio Apr. 16, 2008). Therefore, before Petitioner files any *pro se* supplemental objections to the Report and Recommendation, counsel must first

withdraw from his representation of Petitioner in compliance with S.D. Ohio Civ. R. 83.4(c). If Petitioner does not take such action, the Court will proceed on the objections filed by Petitioner's counsel.

Counsel is **ORDERED** to send a copy of this Order to Petitioner.

IT IS SO ORDERED.

January 18, 2013

s/ **Michael J. Newman**
United States Magistrate Judge