

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

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**Case No. 3-:10-cr-039  
also Civil Case No. 3-:11-cv-236**

**CHUKWUEMEKA O. EZIOLISA,**

**District Judge Thomas M. Rose**

**Defendant.**

**Magistrate Judge Michael R. Merz**

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**ENTRY AND ORDER OVERRULING EZIOLISA’S OBJECTIONS (Doc. #52) TO THE MAGISTRATE JUDGE’S REPORT AND RECOMMENDATIONS ON EZIOLISA’S MOTION TO ALTER OR AMEND THE JUDGMENT ENTERED ON SEPTEMBER 19, 2011; ADOPTING THE MAGISTRATE’S REPORT AND RECOMMENDATIONS (Doc. #51) IN ITS ENTIRETY; AND DENYING EZIOLISA’S MOTION TO ALTER OR AMEND THE JUDGMENT ENTERED ON SEPTEMBER 19, 2011**

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This matter is now before the Court pursuant to Objections (doc. #52 in criminal case) filed by Chukwuemeka O. Eziolisa (“Eziolisa”) to the Report and Recommendations issued on October 24, 2011, by Magistrate Judge Michael R. Merz. In a previous Entry and Order, this Court overruled Eziolisa’s Objections to previous Reports and Recommendations (doc. #48) and adopted the Reports and Recommendations in their entirety. Eziolisa has now filed a Motion To Alter Or Amend that previous Entry and Order pursuant to Fed. R. Civ. P. 59(e). (Doc. #50.) Magistrate Judge Merz is now recommending that Eziolisa’s Motion To Alter Or Amend the previous Entry and Order be denied (Doc. #51) and Eziolisa has Objected to this conclusion (doc. #52).

The District Judge has reviewed the findings of Magistrate Judge Merz. The District Judge has also made a de novo review of the record in this case pursuant to 28 U.S.C. § 636(b)

and Fed.R.Civ.P. 72(b). Upon consideration of the foregoing, the Court finds that Eziolisa's Objections (doc. #52 in the criminal case) to the Report and Recommendations regarding Eziolisa's Motion To Alter Or Amend (doc. #50 in the criminal case) are not well-taken and they are hereby OVERRULED.

The Magistrate Judge's Report and Recommendations is ADOPTED in its entirety. Eziolisa's Motion To Alter Or Amend Judgment pursuant to Fed. R. Civ. P. 59(e) is DENIED.

**DONE and ORDERED** in Dayton, Ohio, this Second day of December, 2011.

**s/Thomas M. Rose**

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THOMAS M. ROSE  
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Chukwuemeka O. Eziolisa at his last address of record  
Counsel of Record