

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

MICAH BRAY, : Case No. 3:12-cv-303
 :
 :
 Petitioner, : Judge Timothy S. Black
 : Magistrate Judge Michael R. Merz
vs. :
 :
 :
 WARDEN, Lebanon Correctional :
 Institution, :
 :
 :
 Respondent. :

**DECISION AND ENTRY: (1) ADOPTING THE REPORT AND
RECOMMENDATIONS OF THE UNITED STATES MAGISTRATE JUDGE
(Doc. 4); AND (2) DISMISSING THE PETITION WITH PREJUDICE**

This civil case is before the Court pursuant to the Order of General Reference in the United States District Court for the Southern District of Ohio Western Division to United States Magistrate Judge Michael R. Merz. Pursuant to such reference, the Magistrate Judge reviewed the pleadings filed with this Court, and, on September 28, 2012, submitted a Report and Recommendations. (Doc. 4). No objections have been filed.¹

As required by 29 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court has reviewed the comprehensive findings of the Magistrate Judge and considered *de novo* all of the filings in this case. Upon consideration of the foregoing, the Court does determine

¹ On October 15, 2012, Magistrate Judge Merz granted Petitioner's motion for a 60 day extension of time. (Doc. 7). Accordingly, the Petitioner had 74 days to object to the pending Report and Recommendations and failed to do so.

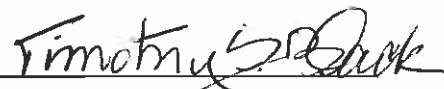
that such Report and Recommendations should be and is hereby **ADOPTED** in its entirety.

Accordingly:

1. The petition for writ of habeas corpus is **DISMISSED WITH PREJUDICE**;
2. The Court certifies that, pursuant to 28 U.S.C. § 1915(a)(3), an appeal of this Order would not be taken in good faith; and
3. This case is **TERMINATED** on the docket of this Court.

IT IS SO ORDERED.

Date: 12/19/12



Timothy S. Black
United States District Judge