

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

RODNEY T. YOUNG, Petitioner, - vs - WARDEN, Warren Correctional Institution, Respondent.	: : : : :	Case No. 3:13-cv-44 District Judge Thomas M. Rose Magistrate Judge Michael R. Merz
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ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. #10), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendations.

It is hereby **ORDERED** that the Petition is **DISMISSED** with prejudice. Petitioner is also **DENIED** any requested certificate of appealability and the Court hereby certifies to the United States Court of Appeals that an appeal would be objectively frivolous.

October 28, 2013

***s/THOMAS M. ROSE**

Thomas M. Rose
United States District Judge