

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

WARREN EASTERLING,

Petitioner<sup>1</sup>,

:

Case No. 3:13-cv-106

-vs-

District Judge Timothy S. Black  
Magistrate Judge Michael R. Merz

:

SECOND DISTRICT COURT OF  
APPEALS, GREENE COUNTY,

Respondent.

---

**RECOMMITTAL ORDER**

---

This case is before the Court on Petitioner's Objections (Doc. No. 21) to the Magistrate Judge's Report and Recommendations (Doc. No. 19).

The District Judge has preliminarily considered the Objections and believes they will be more appropriately resolved after further analysis by the Magistrate Judge. Accordingly, pursuant to Fed. R. Civ. P. 72(b)(3), this matter is hereby returned to the Magistrate Judge with instructions to file a supplemental report analyzing the Objections and Response and making recommendations based on that analysis.

September 12, 2013.

  s/ Timothy S. Black  \_\_\_\_\_  
Timothy S. Black  
United States District Judge

---

<sup>1</sup> Mr. Easterling styles himself as "plaintiff," but this is an action in mandamus where the moving party is properly styled as "petitioner" and the party from whom relief is sought as "respondent."