

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

WARREN EASTERLING,	:	Case No. 3:13-cv-106
	:	
Petitioner,	:	Judge Timothy S. Black
	:	Magistrate Judge Michael R. Merz
vs.	:	
	:	
SECOND DISTRICT COURT OF APPEALS,	:	
	:	
Respondent.	:	

**DECISION AND ENTRY: (1) ADOPTING THE REPORTS AND RECOMMENDATIONS OF THE MAGISTRATE JUDGE (Docs. 19, 23); (2) OVERRULING PETITIONER’S OBJECTIONS (Docs. 21, 24); AND (3) DENYING PETITIONER PAUPER STAUTUS ON APPEAL AND CERITIFYING THAT APPEAL WOULD BE OBJECTIVELY FRIVOLOUS**

This civil case is before the Court on the Reports and Recommendations of United States Magistrate Judge Michael R. Merz. (Doc. 19, 23). The Magistrate Judge recommends that Petitioner be denied pauper status on appeal and that the Court certify that an appeal would be objectively frivolous. (*Id.*) Petitioner filed Objections to the Magistrate Judge’s recommendations. (Docs. 21, 24). The issues are now ripe for decision by the Court.

As required by 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court has reviewed the comprehensive findings of the Magistrate Judge in his Report and Recommendations de novo. Upon review of the issues presented, the Court: (1) **ADOPTS** the Reports and Recommendations of the Magistrate Judge in their entirety (Docs. 19, 21); (2) **OVERRULES** Petitioner’s Objections (Docs. 21, 24); and (3) **DENIES** Petitioner pauper status on appeal and **CERTIFIES** than an appeal would be objectively frivolous.

**IT IS SO ORDERED.**

Date: 10/18/13

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