

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

RAYSHAUN HUDSON,

Petitioner,

: Case No. 3:15-cv-146

- vs -

District Judge Walter Herbert Rice
Magistrate Judge Michael R. Merz

CHARLOTTE JENKINS, Warden,
Correctional Institution,

:

Respondent.

REPORT AND RECOMMENDATIONS

This habeas corpus case under 28 U.S.C. § 2254 is before the Court on Petitioner’s Motion for Reconsideration of the Court’s final judgment dismissing his habeas corpus petition (ECF No. 12). Hudson complained that he had never received the Magistrate Judge’s Report and Recommendations which recommended dismissal and thus never had a fair opportunity to object.

In response, the Magistrate Judge ordered that Hudson be provided with a new copy of the Report and Recommendations and then be allowed to file a new motion to amend the judgment accompanied by any objections he had to the Report (Order, ECF No. 13). The Court set a date for filing the new motion for November 13, 2015. The Clerk then mailed a new copy of the Report and the Order to Petitioner on October 27, 2015.

The time for response has now expired and Petitioner has failed to file anything in

response. It is therefore respectfully recommended that his Motion for Reconsideration be DENIED.

November 23, 2015.

s/ *Michael R. Merz*
United States Magistrate Judge

NOTICE REGARDING OBJECTIONS

Pursuant to Fed. R. Civ. P. 72(b), any party may serve and file specific, written objections to the proposed findings and recommendations within fourteen days after being served with this Report and Recommendations. Pursuant to Fed. R. Civ. P. 6(d), this period is extended to seventeen days because this Report is being served by one of the methods of service listed in Fed. R. Civ. P. 5(b)(2)(C), (D), (E), or (F). Such objections shall specify the portions of the Report objected to and shall be accompanied by a memorandum of law in support of the objections. If the Report and Recommendations are based in whole or in part upon matters occurring of record at an oral hearing, the objecting party shall promptly arrange for the transcription of the record, or such portions of it as all parties may agree upon or the Magistrate Judge deems sufficient, unless the assigned District Judge otherwise directs. A party may respond to another party's objections within fourteen days after being served with a copy thereof. Failure to make objections in accordance with this procedure may forfeit rights on appeal. See *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981); *Thomas v. Arn*, 474 U.S. 140, 153-55 (1985).