

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

DAVID A. FARMER,	:	Case No. 3:15-cv-389
	:	
Petitioner,	:	
	:	
- vs -	:	District Judge Thomas M. Rose
	:	Magistrate Judge Michael R. Merz
	:	
WARDEN, Marion Correctional	:	
Institution,	:	
	:	
Respondent.	:	

ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the pending Report and Recommendations of United States Magistrate Judge Michael R. Merz (ECF Nos. 15 and 20), 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.

Accordingly, it is hereby ORDERED that Petitioner's Motion to Alter or Amend the Judgment (ECF No. 9) and Petitioner's Motion for Removal of Magistrate Judge (ECF No. 19) are DENIED. 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 and therefore should not be permitted to proceed *in forma pauperis*.

March 18, 2016.

s/Thomas M. Rose

 Thomas M. Rose
 United States District Judge