

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

HARRY BAILEY,	:	
Petitioner,	:	
v.	:	Case No. 3:16-cv-25
THOMAS SCHWEITZER,	:	JUDGE WALTER H. RICE
Warden, Lebanon Correctional	:	
Institution,	:	
Respondent.	:	

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DECISION AND ENTRY ADOPTING UNITED STATES MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATIONS (DOC. #28);  
OVERRULING PETITIONER'S MOTION FOR A CERTIFICATE OF  
APPEALABILITY (DOC. #27 AS SUPPLEMENTED BY DOC. #29)

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Based on the reasoning and citations of authority set forth by United States Magistrate Judge Michael R. Merz, in his Report and Recommendations, Doc. #28, as well as on a thorough, *de novo* review of this Court's file and the applicable law, the Court ADOPTS said judicial filing in its entirety, and OVERRULES Petitioner's Motion for a Certificate of Appealability, Doc. #27 as supplemented by Doc. #29.

Although the parties were advised of their right to file Objections to the Report and Recommendations, and of the consequences of failing to do so, no Objections have been filed within the time allotted.

Date: December 8, 2016



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WALTER H. RICE  
UNITED STATES DISTRICT JUDGE