

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

CHRISTOPHER A. SUMMERS,	:	Case No. 3:16-cv-387
	:	
Petitioner,	:	Judge Thomas M. Rose
	:	
- vs -	:	
	:	
CHARLOTTE JENKINS, Warden,	:	
Chillicothe Correctional Institution,	:	
	:	
Respondent.	:	

**ENTRY AND ORDER OVERRULING OBJECTIONS (DOCS. 17, 20);
ADOPTING REPORT AND RECOMMENDATIONS (DOC. 16) AND
SUPPLEMENTAL REPORT AND RECOMMENDATIONS (DOC. 19); AND
DISMISSING WITH PREJUDICE PETITION UNDER 28 U.S.C. § 2254 FOR
WRIT OF HABEAS CORPUS (DOC. 1)**

This case is before the Court on the Objections (Docs. 17, 20) filed by Petitioner Christopher A. Summers (“Summers”) to the Report and Recommendations (“Report”) (Doc. 16) and Supplemental Report and Recommendations (“Supplemental Report”) (Doc. 19). In the Report and Supplemental Report, Magistrate Judge Michael R. Merz concluded that Summers’s Petition under 28 U.S.C. § 2254 for Writ of Habeas Corpus (the “Petition”) (Doc. 1) does not entitle him to any relief. The Magistrate Judge therefore recommended that this Court dismiss the Petition with prejudice.

As required by 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72(b), the Court has made a *de novo* review of the record in this case. Upon said review, the Court finds that the Objections (Docs. 17, 20) to the Report (Doc. 16) and Supplemental Report (Doc. 19) are not well taken and they are hereby **OVERRULED**. The Court **ADOPTS** the Report (Doc. 16) and Supplemental Report (Doc. 19) in their entirety and rules as follows:

1. The Petition (Doc. 1) is **DISMISSED WITH PREJUDICE**;
2. As reasonable jurists would not disagree with this conclusion, Summers is

DENIED a certificate of appealability;

3. The Court **CERTIFIES** to the Sixth Circuit that any appeal would be objectively frivolous and therefore should not be permitted to proceed *in forma pauperis*; and
4. The Clerk is ordered to **TERMINATE** this case on the docket of this Court.

DONE and **ORDERED** in Dayton, Ohio, this Tuesday, April 11, 2017.

s/Thomas M. Rose

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE