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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

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Keron D. Simpson,

       Petitioner,

                              Case No. 3:17-cv-299
v.   **Judge Thomas M. Rose**
                              Magistrate Judge Michael R. Merz

Warren Lebanon Correctional Institution,

       Respondent.

DECISION AND ENTRY ADOPTING SUPPLEMENTAL REPORT AND RECOMMENDATIONS OF UNITED STATES MAGISTRATE JUDGE MERZ (ECF 21), OVERRULING PETITIONER'S OBJECTIONS (ECF 19, 24) TO MAGISTRATE'S REPORT AND RECOMMENDATIONS, AND DISMISSING THE PETITION WITH PREJUDICE. (ECF 1).

On March 13, 2018, Magistrate Judge Michael R. Merz filed a Report and Recommendation, (ECF 18), suggesting that the Court dismiss Petitioner Keron D. Simpson's Petition for a Writ of Habeas Corpus. (ECF 1). On March 20, 2018, Petitioner filed Objection to the Magistrate's Report and Recommendations. (ECF 19). The matter was recommitted to the Magistrate Judge for further review. (ECF 20). On March 28, 2018, the Magistrate Judge issued a supplemental report and recommendation, that reaches the same conclusion as before. (ECF 21). Petitioner again objects. (ECF 24).

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, taking into consideration both of Petitioner's objections. Upon said review, the Court finds that Plaintiff's Objections, (ECF 19, 24), to the

Magistrate Judge's Report and Recommendations, (ECF 18, 21), are not well taken and is hereby **OVERRULED**. Wherefore, the Court **ADOPTS IN FULL** the Magistrate Judge's Reports and Recommendations. (ECF 18, 21). The Petition is **DISMISSED** with prejudice. Because reasonable jurists would not disagree with this conclusion, Petitioner is denied a certificate of appealability and 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.

     DONE and **ORDERED** this Wednesday, June 13, 2018.

s/Thomas M. Rose
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THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE