

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

Keron D. Simpson,

Petitioner,

v.

Case No. 3:17-cv-300
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 23), OVERRULING PETITIONER'S OBJECTIONS (ECF 20,
26) TO MAGISTRATE'S REPORT AND RECOMMENDATIONS, AND
DISMISSING THE PETITION WITH PREJUDICE. (ECF 1).**

On March 14, 2018, Magistrate Judge Michael R. Merz filed a Report and Recommendation, (ECF 19), 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 20). The matter was recommitted to the Magistrate Judge for further review. (ECF 21). On March 29, 2018, the Magistrate Judge issued a supplemental report and recommendation, that reaches the same conclusion as before. (ECF 23). Petitioner again objects. (ECF 26).

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 20, 26), to the

Magistrate Judge's Report and Recommendations, (ECF 19, 23), are not well taken and is hereby **OVERRULED**. Wherefore, the Court **ADOPTS IN FULL** the Magistrate Judge's Reports and Recommendations. (ECF 19, 23). 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

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE