

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

STATE OF OHIO  
EX REL TED MARCUM,

Petitioner, : Case No. 3:17-cv-437

- vs -

District Judge Walter H. Rice  
Magistrate Judge Michael R. Merz

SHERIFF DAVE DUCHAK,

Respondent.

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**RECOMMITTAL ORDER**

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This case is before the Court on Defendant Duchak’s Objections (ECF No. 61) to the Magistrate Judge’s Fifth Supplemental Report and Recommendations (ECF No. 56).

The District Judge has preliminarily considered the Objections and believes they will be more appropriately resolved after further analysis by the Magistrate Judge. Accordingly, pursuant to Fed. R. Civ. P. 72(b)(3), this matter is hereby returned to the Magistrate Judge with instructions to file a supplemental report analyzing the objections and making recommendations based on that analysis.

May 3, 2018.

  
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Walter H. Rice  
United States District Judge