

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

KLINT KUCK,

Petitioner,

: Case No. 3:18-cv-157

- vs -

District Judge Thomas M. Rose
Magistrate Judge Michael R. Merz

NORM ROBINSON, Warden,
Lebanon Correctional Institution

Respondent.

:

ORDER ADOPTING REPORTS AND RECOMMENDATIONS

The Court has reviewed the Supplemental Report and Recommendations of United States Magistrate Judge Michael R. Merz (ECF No. 25), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed, and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby ADOPTS said Supplemental Report and Recommendations.

Accordingly, it is hereby ORDERED that the Petition herein be DISMISSED WITH PREJUDICE. The Clerk shall enter judgment accordingly. Because reasonable jurists would not disagree with that disposition, Petitioner is DENIED a certificate of appealability and the Court hereby certifies to the United States Court of Appeals that an appeal would be objectively frivolous and therefore should not be permitted to proceed in forma pauperis.

February 14, 2019

*s/Thomas M. Rose

Thomas M. Rose
United States District Judge