

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

<p>DEONTE SNOWDEN,</p> <p style="padding-left: 40px;">Petitioner,</p> <p style="text-align: center;">v.</p> <p>ED SHELDON, WARDEN, Allen Correctional Institution,</p> <p style="padding-left: 40px;">Respondent.</p>	<p>:</p> <p>:</p> <p>:</p> <p>:</p>	<p>Case No. 3:20-cv-463</p> <p>JUDGE WALTER H. RICE</p>
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DECISION AND ENTRY ADOPTING UNITED STATES MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATIONS (DOC. #13);
OVERRULING PETITIONER'S MOTION TO AMEND OR MAKE
ADDITIONAL FINDINGS (DOC. #7); DENYING CERTIFICATE OF
APPEALABILITY AND LEAVE TO APPEAL *IN FORMA PAUPERIS*;
JUDGMENT TO ENTER IN FAVOR OF RESPONDENT AND AGAINST
PETITIONER; CASE TO REMAIN TERMINATED ON DOCKET

Based on the reasoning and citations of authority set forth by United States Magistrate Judge Michael R. Merz in his Report and Recommendations, Doc. #13, filed on February 24, 2021, as well as upon a thorough *de novo* review of this Court's file and the applicable law, the Court ADOPTS said judicial filing in its entirety. Although Petitioner was notified of his right to file Objections to the Report and Recommendations, and of the consequences of failing to do so, and was granted an extension of time, no Objections were filed within the time allotted.

For the reasons discussed by Magistrate Judge Merz, the Court OVERRULES Petitioner's Motion to Amend and/or Make Additional Findings, Doc. #7.

Given that Petitioner has not made a substantial showing of the denial of a constitutional right and, further, that the Court's decision herein would not be debatable among reasonable jurists, and because any appeal from this Court's decision would be *objectively* frivolous, Petitioner is denied a certificate of appealability, and is denied leave to appeal *in forma pauperis*.

Judgment will be entered in favor of Respondent and against Petitioner. The captioned case shall remain terminated on the Court's docket.

Date: April 20, 2021



WALTER H. RICE
UNITED STATES DISTRICT JUDGE