

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

DEONTE SNOWDEN,

Petitioner,

: Case No. 3:20-cv-463

- vs -

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

ED SHELDON, WARDEN,
Allen Correctional Institution,

:

Respondent.

ORDER TO CLERK; ORDER TO PETITIONER TO SUPPLEMENT

This habeas corpus case is before the Court on Petitioner's Motion to Amend or Make Additional Findings (ECF No. 7). The motion was filed within twenty-eight days of judgment and thus is properly considered under Fed.R.Civ.P. 59(e).

Petitioner previously moved for an extension of time to file objections to the Report and Recommendations (ECF No. 5) in which he claimed that the Court did not send him. The Magistrate Judge denied the extension because judgment had already been entered, but advised petitioner he could file a motion to amend (ECF No. 6). He has now done so.

Petitioner claims he still has not received a copy of the Report and Recommendations (ECF No. 2). Although the docket reflects that it was mailed to him and the mail has not been returned, the Clerk is ORDERED to send a copy of the Report to petitioner by certified mail with return receipt requested, to docket the fact of mailing, and to docket the return receipt card (green card) when returned by the Postal Service.

Petitioner claims that the mail room at his place of incarceration has no record of receiving anything from the Court prior to receipt of the judgment. Counsel for Respondent is hereby ORDERED to obtain and file with the Court authenticated copies of the relevant mail logs from the prison mail room.

Although Petitioner claims the Petition has merit, he has included no substantive argument in his Motion to Amend. He is hereby ORDERED to supplement his Motion to Amend not later than February 15, 2021, to include any substantive arguments he would have made in objections to the Report, including any basis for granting a certificate of appealability.

January 6, 2021.

s/ Michael R. Merz
United States Magistrate Judge