

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

MARK S. NEUMAN,

Petitioner

v.

CIVIL ACTION NO. 2:12-0206

WEST VIRGINIA SUPREME COURT
OF APPEALS,

Respondent

MEMORANDUM OPINION AND ORDER

Pending is a petition for writ of mandamus, filed January 30, 2012.

This action was previously referred to Mary E. Stanley, United States Magistrate Judge, who, on February 2, 2012, submitted her Proposed Findings and Recommendation ("PF&R") pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B). On February 14, 2012, the petitioner filed objections to the PF&R, followed by further materials submitted by him on February 24 and March 29, 2012.

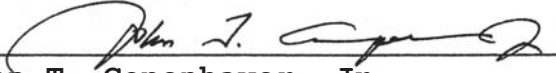
The magistrate judge recommends that the requested writ be denied as frivolous and failing to state a claim upon which relief can be granted. Petitioner's objections do not meet the

analysis and recommendations offered by the magistrate judge. The court concludes that the objections are not meritorious. It is, accordingly, ORDERED as follows:

1. That the PF&R be, and it hereby is, adopted by the court and incorporated herein;
2. That the petition for a writ of mandamus be, and it hereby is, denied; and
3. That this action be, and it hereby is, dismissed and stricken from the docket.

The Clerk is directed to forward copies of this written opinion and order to the pro se petitioner, all counsel of record, and the United States Magistrate Judge.

DATED: April 18, 2012



John T. Copenhaver, Jr.
United States District Judge