

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
OHIO

Leonard Jenkins v. Judge James R. Knepp II and Malcolm Heard

Jenkins · No. 1:25 CV 254 · Decided January 6, 2026

SUMMARY

The United States District Court for the Northern District of Ohio overruled Leonard Jenkins’s objections to a magistrate judge’s Report and Recommendation in his 28 U.S.C. § 2254 habeas case. The court held that the petition was second or successive, adopted the Report and Recommendation, granted the motion to transfer, and transferred the petition to the Sixth Circuit for authorization under 28 U.S.C. § 2244(b)(3)(A).

CASE DETAILS

COURT	United States District Court for the Northern District of Ohio
WRITING FOR THE COURT	James R. Knepp II
JURISDICTION	United States District Court for the Northern District of Ohio
DECIDED	January 6, 2026
DOCKET	1:25 CV 254
DISPOSITION	other
PROCEDURAL POSTURE	A state prisoner filed a 28 U.S.C. § 2254 habeas petition. After the magistrate judge recommended transfer to the Sixth Circuit because the petition was second or successive, the district court reviewed the petitioner's objections, adopted the recommendation, granted the motion to transfer, and transferred the petition.
STANDARD OF REVIEW	The district court reviews de novo those portions of a magistrate judge's Report and Recommendation to which specific objections are made, adopts uncontested portions, and reviews general or insufficient objections only for clear error.
PRECEDENTIAL VALUE	Unknown
PARTIES	Leonard Jenkins v. Judge James R. Knepp II, Malcolm Heard

TOPICS

- federal habeas corpus
- successive petitions
- appellate procedure
- standard of review
- post-conviction relief

PRACTICE AREAS

federal habeas corpus

post-conviction relief

appellate procedure

civil procedure

QUESTIONS PRESENTED

1. Whether Jenkins's objections to the magistrate judge's Report and Recommendation were sufficiently specific to trigger de novo review.
2. Whether the present § 2254 petition was a second or successive petition subject to 28 U.S.C. § 2244(b)(3)(A).
3. Whether the district court should transfer the petition to the Sixth Circuit under 28 U.S.C. § 1631.

HOLDINGS

1. Objections that do not address the magistrate judge's recommended disposition and instead merely restate unrelated claims do not constitute proper specific objections requiring de novo review.
2. Because Jenkins had previously filed a § 2254 petition, the present petition was second or successive and had to be transferred to the Sixth Circuit for consideration under 28 U.S.C. § 2244(b)(3)(A).

KEY QUOTATIONS

“A general objection, or one that merely restates the arguments previously presented and addressed by the Magistrate Judge, does not sufficiently identify alleged errors in the [R&R] to trigger de novo review.” (2)

FACTUAL BACKGROUND

Jenkins is a state prisoner serving convictions entered in 1982 for aggravated murder, aggravated robbery, attempted murder, kidnapping, and possession of criminal tools. He previously filed a § 2254 habeas petition in the Northern District of Ohio in 1985. He filed the present § 2254 petition in 2025, and the court determined that it was a second or successive petition requiring authorization from the Sixth Circuit.

PROCEDURAL HISTORY

Jenkins filed the present habeas petition on January 31, 2025. The matter was referred to Magistrate Judge Jennifer Dowdell Armstrong, who recommended transfer to the Sixth Circuit under 28 U.S.C. §§ 1631 and 2244(b)(3)(A). Jenkins objected, but the district court found that his objections did not address the successive-petition or transfer issues, adopted the Report and Recommendation, and transferred the petition.

DISPOSITION

other

CASES CITED

- *Rumsfeld v. Padilla*, 542 U.S. 426, 434-35 (2004)
- *Jenkins v. Morris*, No. 1:85 CV 3707 (N.D. Ohio filed Dec. 9, 1985)

- Hill v. Duriron Co., 656 F.2d 1208, 1213-14 (6th Cir. 1981)
- Cole v. Yukins, 7 F. App'x 354, 356 (6th Cir. 2001)
- Howard v. Secretary of Health & Human Services, 932 F.2d 505, 509 (6th Cir. 1991)
- Fondren v. American Home Shield Corp., 2018 WL 3414322, at *2 (W.D. Tenn.)
- Aldrich v. Bock, 327 F. Supp. 2d 743, 747 (E.D. Mich. 2004)
- Equal Employment Opportunity Commission v. Dolgencorp, LLC, 277 F. Supp. 3d 932, 965 (E.D. Tenn. 2017), aff'd, 899 F.3d 428 (6th Cir. 2018)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION LEONARD JENKINS, CASE NO. 1:25 CV 254 Petitioner, v. JUDGE
JAMES R. KNEPP II MALCOLM HEARD,¹ Respondent. MEMORANDUM OPINION AND
ORDER Petitioner Leonard Jenkins (“Petitioner”), a prisoner in state custody, filed a Petition
seeking a writ of habeas corpus under 28 U.S.C. § 2254.

(Doc. 5). This case was referred to Magistrate Judge Jennifer Dowdell Armstrong for a Report and
Recommendation (“R&R”) regarding the Petition under Local Civil Rule 72.2(b)(2). On
November 25, 2025, Judge Armstrong issued an R&R recommending the Court transfer
Petitioner’s Petition to the Sixth Circuit. (Doc. 13). Petitioner filed objections to the R&R. (Doc.

14). The Court has jurisdiction over the Petition under 28 U.S.C. § 2254(a). For the reasons set
forth below, the Court overrules Petitioner’s objections, adopts the R&R, grants Respondent’s
Motion to Transfer, and transfers Petitioner’s habeas Petition to the Sixth Circuit Court of Appeals.
1. Petitioner is now incarcerated at Franklin Medical Center; Warden Malcolm Heard is the
Warden of that institution and thus the proper Respondent in this case.

The Court therefore substitutes Warden Heard as Respondent. See *Rumsfeld v. Padilla*, 542 U.S.
426, 434-35 (2004). BACKGROUND This habeas case, filed on January 31, 2025, stems from
Petitioner’s 1982 convictions for aggravated murder, aggravated robbery, attempted murder,
kidnapping, and possession of criminal tools. (Doc. 10-1, at 289-90).

On December 9, 1985, Petitioner filed a § 2254 habeas petition in this Court. *Jenkins v. Morris*,
1:85 CV 3707 (N.D. Ohio). In her R&R, Judge Armstrong recommends the Court find Petitioner’s
present Petition is a “second or successive” petition under 28 U.S.C. § 2244(b). (Doc. 13, at 7-11).
She therefore recommends the Court grant Respondent’s Motion to Transfer and transfer the
Petition to the Sixth Circuit pursuant to 28 U.S.C. §§ 1631 and 2244(b)(3)(A).

Id. at 11. STANDARD OF REVIEW When a party objects to the Magistrate Judge’s R&R, the
district judge “must determine de novo any part of the magistrate judge’s disposition that has been
properly objected to. The district judge may accept, reject, or modify the recommended

disposition; receive further evidence; or return the matter to the magistrate judge with instructions.” Fed.

R. Civ. P. 72(b)(3). This Court adopts all uncontested findings and conclusions from the R&R and reviews de novo those portions of the R&R to which specific objections are made. 28 U.S.C. § 636(b)(1); *Hill v. Duriron Co.*, 656 F.2d 1208, 1213-14 (6th Cir. 1981).

To trigger de novo review, objections must be specific, not “vague, general, or conclusory.” *Cole v. Yukins*, 7 F. App’x 354, 356 (6th Cir. 2001). This specific-objection requirement is meant to direct this Court to “specific issues for review.” *Howard v. Sec’y of Health & Hum. Servs.*, 932 F.2d 505, 509 (6th Cir. 1991). General objections, by contrast, ask this Court to review the entire matter de novo, “making the initial reference to the magistrate useless.” *Id.* 2 “A general objection, or one that merely restates the arguments previously presented and addressed by the Magistrate Judge, does not sufficiently identify alleged errors in the [R&R]” to trigger de novo review.

Fondren v. Am. Home Shield Corp., 2018 WL 3414322, at *2 (W.D. Tenn.); see also *Aldrich v. Bock*, 327 F. Supp. 2d 743, 747 (E.D. Mich. 2004) (“An ‘objection’ that does nothing more than state a disagreement with a magistrate’s suggested resolution, or simply summarizes what has been presented before, is not an ‘objection’ as that term is used in this context.”).

General objections trigger only clear-error review. *Equal Emp. Opportunity Comm’n v. Dolgencorp, LLC*, 277 F. Supp. 3d 932, 965 (E.D. Tenn. 2017), *aff’d*, 899 F.3d 428 (6th Cir. 2018). DISCUSSION Petitioner filed Objections to the R&R. (Doc. 14). Therein, Petitioner argues he is imprisoned on a “void judgment” and that he is “entitle[d] to release.” *Id.* at 2.

He asks the Court to “issue an order compelling” his attendance at a resentencing hearing. *Id.* Petitioner’s objections do not speak to the R&R’s recommendation that this Court find the Petition is “second or successive” under 28 U.S.C. § 2244(b)(3)(A) or that transfer to the Sixth Circuit pursuant to 28 U.S.C. §§ 1631 is proper. Petitioner has thus not filed a proper objection to the R&R.

Moreover, upon review, the Court finds no error in the R&R’s conclusions. CONCLUSION For the foregoing reasons, good cause appearing, it is ORDERED that Judge Armstrong’s R&R (Doc. 13) be, and the same hereby is, ADOPTED as the Order of this Court; and it is FURTHER ORDERED that Respondent’s Motion to Transfer (Doc. 10) be and the same hereby is GRANTED as set forth in the R&R; and it is 3 FURTHER ORDERED that the Petition (Doc.

5), be, and the same hereby is, TRANSFERRED to the Sixth Circuit Court of Appeals pursuant to 28 U.S.C. § 1631; and it is FURTHER CERTIFIED that an appeal from this decision could not be taken in good faith. 28 U.S.C. § 1915(a)(3). s/ James R. Knepp II UNITED STATES DISTRICT JUDGE Dated: January 6, 2026 4

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