

**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).

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