

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF OHIO, EASTERN DIVISION

Timothy Titus v. Warden, Southern Ohio Correctional Facility

No. 2:24-cv-3689, United States District Court for the Southern District of Ohio, Eastern Division (March 19, 2026)

SUMMARY

The United States District Court for the Southern District of Ohio adopted a Magistrate Judge’s Report and Recommendation recommending dismissal with prejudice of Timothy Titus’s petition for a writ of habeas corpus under 28 U.S.C. § 2241. Because no objections were filed, the court concluded that the petitioner waived appellate review and declined to issue a certificate of appealability.

CASE DETAILS

COURT	United States District Court for the Southern District of Ohio, Eastern Division
WRITING FOR THE COURT	Sarah D. Morrison, Chief Judge
JURISDICTION	United States District Court for the Southern District of Ohio, Eastern Division
DECIDED	March 19, 2026
DOCKET	2:24-cv-3689
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's Report and Recommendation recommending dismissal with prejudice of Petitioner's 28 U.S.C. § 2241 habeas petition. No objections were filed.
STANDARD OF REVIEW	The order adopted the magistrate judge's Report and Recommendation after the parties failed to file objections; no separate substantive standard of review is stated.
PRECEDENTIAL VALUE	Unknown; district court order with no reporter citation
PARTIES	Timothy Titus v. Warden, Southern Ohio Correctional Facility

TOPICS

- federal habeas corpus
- post-conviction relief
- appellate procedure

PRACTICE AREAS

Federal habeas corpus

Post-conviction relief

Appellate procedure

QUESTIONS PRESENTED

1. Whether the court should adopt and affirm the magistrate judge's Report and Recommendation when no objections were filed.
2. Whether the § 2241 habeas petition should be dismissed with prejudice.
3. Whether the court should issue a certificate of appealability.

HOLDINGS

1. A party that fails to file objections to a magistrate judge's Report and Recommendation waives the right to appeal the matters addressed in the recommendation.
2. The Report and Recommendation was adopted and affirmed, and the habeas action was dismissed with prejudice.
3. The court declined to issue a certificate of appealability.

KEY QUOTATIONS

“Petitioner has waived the right to appeal by failing to file objections.”

“The Report and Recommendation is ADOPTED and AFFIRMED. This action is DISMISSED with prejudice.”

FACTUAL BACKGROUND

The petitioner filed a petition for a writ of habeas corpus under 28 U.S.C. § 2241. The magistrate judge recommended dismissal with prejudice. The parties were notified of their right to object and the consequences of failing to do so, but no objections were filed.

PROCEDURAL HISTORY

On January 8, 2026, the magistrate judge recommended dismissal with prejudice. After the objection period expired without objections, the district court adopted and affirmed the Report and Recommendation, dismissed the action with prejudice, and declined to issue a certificate of appealability.

DISPOSITION

dismissed

CASES CITED

- Thomas v. Arn, 474 U.S. 140 (1985)
- United States v. Walters, 638 F.2d 947 (6th Cir. 1981)

OPINION

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO EASTERN DIVISION TIMOTHY TITUS, Petitioner,; Case No. 2:24-cv-3689 v. Chief Judge Sarah D. Morrison Magistrate Judge Kimberly A. Jolson WARDEN, SOUTHERN OHIO CORRECTIONAL FACILITY,; Respondent. ORDER On January 8, 2026, the Magistrate Judge issued a Report and Recommendation recommending that the petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 be dismissed with prejudice.

(ECF No. 9.) The parties were advised of the right to file objections to the Report and Recommendation and of the consequences of failing to do so. (Id.) The time for filing objections has now passed and no objections were filed.

The Report and Recommendation is ADOPTED and AFFIRMED. This action is DISMISSED with prejudice. Petitioner has waived the right to appeal by failing to file objections. See *Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

The Court therefore DECLINES to issue a certificate of appealability. IT IS SO ORDERED. /s/ Sarah D. Morrison SARAH D. MORRISON, CHIEF JUDGE UNITED STATES DISTRICT COURT