

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
SOUTHERN DIVISION
LONDON

*** *** *** ***

This matter is before the Court on the Report and Recommendation [R. 83] filed by United States Magistrate Judge Hanly A. Ingram. The Report and Recommendation addresses the reported violations of supervised release conditions by the Defendant Roland Keith Ramey. *[Id.]* Therein he recommends revocation; imprisonment for one day; re-imposition of supervised release to terminate on October 6, 2014; the incorporation of a special condition in his supervised release requiring that he serve two weekends of incarceration over the next 30 days; and that the Court grant his oral motion to dismiss the provisions of Violations 1 and 2 that allege improper use of benzodiazepines, and Violations 3 and 4 of the Supervised Release Violation Report. *[Id.]* at 8.]

His Report advises the parties that any objections must be filed within fourteen (14) days of service. *[Id.]* Ramey has indicated that he has no objection to Judge Ingram's Report and Recommendation [R. 85], and has filed notice of his Waiver of Allocution, [R. 84].

Generally, this Court must make a *de novo* determination of those portions of the Report and Recommendation to which objections are made. 28 U.S.C. § 636(b)(1)(c). When no objections are made, this Court is not required to “review . . . a magistrate’s factual or legal conclusions, under a de novo or any other standard” *See Thomas v. Arn*, 474 U.S. 140, 151 (1985). Parties who fail to object to a magistrate’s report and recommendation are also barred from appealing a district court’s order adopting that report and recommendation. *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). Nevertheless, this Court has examined the record, and agrees with the Magistrate Judge’s Report and Recommendation.

Accordingly, the Court being sufficiently and otherwise advised, it is hereby

ORDERED as follows:

- (1) The Magistrate Judge’s Report and Recommendation [R. 83] is **ADOPTED** as the opinion of this Court;
- (2) Ramey’s period of supervised release is **REVOKE**D and he is **SENTENCED** to a 1 day term of imprisonment;
- (3) The terms of Ramey’s Supervised Release are re-imposed immediately following completion of his term of imprisonment and will terminate on October 6, 2014;
- (4) A special condition is incorporated into his supervised release conditions requiring that he serve two weekends, May 18-19 and June 1-2, 2013, of incarceration over the next 30 days;
- (5) If, however, judgment entry and/or designation by the BOP is delayed, the weekend of June 15-16 is also available for Ramey to serve his additional period of incarceration; and

(6) The United States Oral Motion to Dismiss the provisions of Violations 1 and 2 that allege improper use of benzodiazepines and Violations 3 and 4 of the Report is **GRANTED.**

This 16th day of May, 2013.



Signed By:

Gregory F. Van Tatenhove 

United States District Judge