

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

NATHANIAL C. BLACKER,	:	Case No. 1:08-cv-874
	:	
Plaintiff,	:	Judge Timothy S. Black
	:	Magistrate Judge Stephanie K. Bowman
vs.	:	
	:	
LORA SATTERTHWAITE,	:	
	:	
Defendant.	:	

**DECISION AND ENTRY: (1) ADOPTING THE REPORT AND
RECOMMENDATIONS OF THE UNITED STATES MAGISTRATE JUDGE
(Doc. 70); (2) GRANTING DEFENDANT'S MOTION FOR SUMMARY
JUDGMENT (Doc. 64); AND (3) TERMINATING THIS CASE FROM THE
DOCKET**

This case is before the Court pursuant to the Order of General Reference in the United States District Court for the Southern District of Ohio Western Division to United States Magistrate Judge Stephanie K. Bowman. Pursuant to such reference, the Magistrate Judge reviewed the pleadings filed with this Court and, on October 14, 2011, submitted a Report and Recommendations. (Doc. 70). Plaintiff filed Objections to the Report and Recommendations. (Doc. 75).

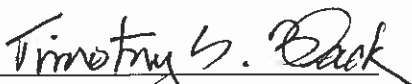
As required by 29 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court has reviewed the comprehensive findings of the Magistrate Judge and considered *de novo* all of the filings in this matter. Upon consideration of the foregoing, the Court does determine that such Report and Recommendations should be and is hereby adopted in its entirety; and Plaintiff's Objections to the Report and Recommendations are overruled.

Accordingly,

1. The Report and Recommendations (Doc. 70) is **ADOPTED** in full;
2. Defendant's motion for summary judgment (Doc. 64) is **GRANTED**;
3. Plaintiff's motion for summary judgment (Doc. 54) is **DENIED**;
4. Based on Plaintiff's prior litigation history, he is deemed to have "three strikes" against him for purposes of 28 U.S.C. Section 1915(g), and is foreclosed from filing future litigation *in forma pauperis* while incarcerated or detained in any facility unless he is under imminent danger of serious physical injury; and
5. This case is **DISMISSED WITH PREJUDICE** and terminated from the docket of this Court.

IT IS SO ORDERED.

Date: 12/19/11



Timothy S. Blask
United States District Judge