IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

ANDRE R. VACTOR,	:	
Plaintiff,	:	Case No. 3:07cv00072
vs.	:	District Judge Walter Herbert Rice Magistrate Judge Sharon L. Ovington
OFFICER JOSHUA JACOBS, et al.,	:	
Defendants.	:	

DECISION AND ENTRY ADOPTING IN FULL THE REPORT AND RECOMMENDATIONS FILED ON MARCH 5, 2009 (Doc. #41); GRANTING DEFENDANTS' MOTION FOR SUMMARY JUDGMENT (Doc. #32); DISMISSING WITH PREJUDICE PLAINTIFF'S CLAIMS UNDER 42 U.S.C. §1983; DISMISSING WITHOUT PREJUDICE PLAINTIFF'S STATE LAW CLAIMS; DENYING PLAINTIFF'S MOTION TO CONTINUE (Doc. #35); DENYING PLAINTIFF'S MOTION AND OPPOSITIONS (Doc. #39); DENYING AS MOOT DEFENDANTS' MOTION TO DISMISS FOR LACK OF PROSECUTION (Doc. #37); AND TERMINATING THE CASE ON THE DOCKET OF THIS COURT

The Court has conducted a de novo review of the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #41), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** in full said Report and Recommendations. It is therefore **ORDERED** that:

1. The Report and Recommendations filed on March 5, 2009 (Doc. #41) is **ADOPTED** in full;

2. Defendants' Motion for Summary Judgment (Doc. #32) is GRANTED, Plaintiff's claims against Defendants under 42 U.S.C. §1983 are

DISMISSED with prejudice, and Plaintiff's state law claims against Defendants are DISMISSED without prejudice;

3. Plaintiff's Motion to Continue (Doc. # 35) and Plaintiff's Motions and Oppositions (Doc. # 39) are DENIED;

4. Defendants' Motion to Dismiss for Lack of Prosecution (Doc. # 37) is DENIED as moot; and

5. The case is terminated on the docket of this Court.

Walter Herbert Rice
United States District Judge