

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

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U.S. DISTRICT COURT
SOUTHERN DIST OHIO
WESTERN DIV DAYTON

PAMELA D. MILLER, :
 :
 Plaintiff, :
 :
 vs. : Case No. 3:08cv00203
 :
 : District Judge Walter Herbert Rice
 : Magistrate Judge Sharon L. Ovington
 :
 MICHAEL J. ASTRUE, :
 Commissioner of the Social :
 Security Administration, :
 :
 Defendant. :
 :

**DECISION AND ENTRY ADOPTING REPORT AND RECOMMENDATIONS FILED ON
DECEMBER 22, 2008 (Doc. #8); DISMISSING PLAINTIFF'S COMPLAINT WITHOUT
PREJUDICE; 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. #8), 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** said Report and Recommendations.

It is therefore **ORDERED** that:

1. The Report and Recommendations filed on December 22, 2008 (Doc. #8) is **ADOPTED** in full;
2. Plaintiff's Complaint is **DISMISSED** without prejudice pursuant to Fed. R. Civ. P. 41(b); and
3. The case is terminated on the docket of this Court.



Walter Herbert Rice
United States District Judge