

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

JAMES DARRIN, : Case No. 3:12-cv-349
 :
 Plaintiff, : Judge Timothy S. Black
 : Magistrate Judge Michael R. Merz
vs. :
 :
 JACOB J. LEW, :
 :
 Defendant. :
 :

**DECISION AND ENTRY ADOPTING THE REPORT AND
RECOMMENDATIONS OF THE UNITED STATES MAGISTRATE JUDGE
(Doc. 10)**


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 Michael R. Merz. Pursuant to such reference, the Magistrate Judge reviewed the pleadings filed with this Court, and, on April 15, 2013 submitted a Report and Recommendations. (Doc. 10). Plaintiff objected to the Report and Recommendations by returning the said document marked “refusal for cause.” (Doc. 12). However, no specific objections were noted. (*Id.*)

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. Accordingly:

1. The Report and Recommendations (Doc. 10) is **ADOPTED**;
2. Defendant's motion to dismiss (Doc. 7) is **GRANTED** and this civil action is **DISMISSED WITHOUT PREJUDICE** for lack of service of process;
and
3. This case is **CLOSED** on the docket of this Court.

IT IS SO ORDERED.

Date: May 22, 2013


Timothy S. Black
Timothy S. Black
United States District Judge