

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

FREDERICK A. MOORE, JR.,

Plaintiff,

vs.

LABOR READY,

Defendant.

:
:
:
:
:
:

Case No. 3:13cv147

JUDGE WALTER H. RICE

DECISION AND ENTRY ADOPTING REPORT AND RECOMMENDATIONS (DOC. #5) OF UNITED STATES MAGISTRATE JUDGE IN THEIR ENTIRETY AND OVERRULING PLAINTIFF'S INITIAL (DOC. #6) AND SUPPLEMENTAL OBJECTIONS (DOC. #11) TO SAID JUDICIAL FILING; CAPTIONED CAUSE DISMISSED, WITHOUT PREJUDICE, PURSUANT TO 28 U.S.C. § 1915 (e)(2)(B); CERTIFICATE OF APPEALABILITY AND ANTICIPATED REQUEST TO APPEAL *IN FORMA PAUPERIS* DENIED; TERMINATION ENTRY


Based upon the reasoning and citations of authority set forth in the Magistrate Judge's Report and Recommendations (Doc. #5), as well as upon a thorough review of the applicable law and the entirety of this Court's file, said Report and Recommendations are adopted in their entirety. Plaintiff's Initial (Doc. #6) and Supplemental (Doc. #11) Objections are overruled. The captioned cause is dismissed, without prejudice.

Given that reasonable jurists would not differ from this Court's conclusions reached herein, this Court herein denies a certificate of appealability. Moreover, given that any appeal from this Court's opinion would be objectively frivolous, this Court denies

an anticipated request for leave to appeal *in forma pauperis*.

The captioned cause is hereby ordered terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

June 24, 2013



WALTER H. RICE
UNITED STATES DISTRICT JUDGE

Copies to:

Fredrick A. Moore, Jr., *Pro Se*
Counsel of record