

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Lamar Boston,

Plaintiff,

v.

Case NO. 2:15-cv-2660

Gary Mohr, et al.,

Defendants.

ORDER

Plaintiff, a state inmate confined at the Ohio State Penitentiary, brought the instant action under 42 U.S.C. §1983, against several defendants associated with the Ohio Department of Rehabilitation and Correction ("the Department"), contending that his constitutional rights were violated due to various alleged conditions and incidents at the institution. The magistrate judge conducted an initial screen of plaintiff's complaint pursuant to 28 U.S.C. §1915(e)(2) to identify cognizable claims and to recommend dismissal of any claims which were frivolous, malicious, failed to state a claim upon which relief may be granted, or sought monetary relief from a defendant who is immune from such relief. On July 30, 2015, the magistrate judge issued a report and recommendation concluding that the complaint failed to state a claim for relief against defendant Gary Mohr, the director of the Department, and defendant "Legal Services," described by plaintiff as being an entity responsible for overseeing disciplinary proceedings. Doc. 3, pp. 5-6. The magistrate judge further concluded that, insofar as plaintiff sought monetary damages from defendant Legal Services, a state agency, and from defendant Mohr in his official capacity as a director of a state agency, this claim was barred by the Eleventh

