

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

DAVID EASLEY,	:	
	:	
Plaintiff(s),	:	
	:	Case Number: 1:06cv865
vs.	:	
	:	Chief Judge Susan J. Dlott
DEBORAH NIXON-HUGHES, et. al.,	:	
	:	
Defendant(s).	:	

ORDER

The Court has reviewed the Report and Recommendation of United States Magistrate Judge Timothy S. Hogan filed on February 12, 2009 (Doc. 26), to whom this case was 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) expired March 4, 2009, hereby ADOPTS said Report and Recommendation.

Accordingly, plaintiff's complaint is **DISMISSED** without prejudice for failure of service. Since Defendant Highfield was the only defendant remaining in this matter, the Court hereby **TERMINATES** this case from the docket.

IT IS SO ORDERED.

 s/Susan J. Dlott
 Chief Judge Susan J. Dlott
 United States District Court

—