

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Robert M. Tweed, Jr.,

Plaintiff,

v.

Case No. 1:08cv98

Hamilton County Justice Center, et al.,

Judge Michael R. Barrett

Defendants.

ORDER

This matter is before the Court on the Report and Recommendation filed by the Magistrate Judge on March 2, 2009 (Doc. 44). Before the Magistrate Judge were Defendants' motion for summary judgment (Docs. 21 and 33).

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. See United States v. Walters, 638 F.2d 947 (6th Cir. 1981). No objections to the Magistrate Judge's Report and Recommendation have been filed and time to do so has expired.

Having reviewed this matter de novo pursuant to 28 U.S.C. 636, this Court finds the Magistrate Judge's Report and Recommendation to be correct.

Accordingly, it is **ORDERED** that the Report and Recommendation of the Magistrate Judge is hereby **ADOPTED**. Defendants' motions for summary judgment (Docs. 21 and 33) are hereby **GRANTED**. All other pending motions are hereby **DENIED**, as moot (Docs. 10, 12, 19, 25, 38). This matter is now closed. The Clerk of Court is directed to terminate this matter from the docket of this Court.

IT IS SO ORDERED.

s/Michael R. Barrett

Michael R. Barrett, Judge
United States District Court