

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

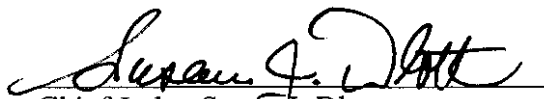
BRIAN J. CUMMINGS, :
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 Plaintiff(s), :
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 : Case Number: 1:08cv248
 vs. :
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 : Chief Judge Susan J. Dlott
 MIDDLETOWN OHIO CITY JAIL, et. al., :
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 :
 Defendant(s). :

ORDER

The Court has reviewed the Report and Recommendation of United States Magistrate Judge Timothy S. Black filed on February 1, 2010 (Doc. 37), 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 February 22, 2010, hereby ADOPTS said Report and Recommendation.

Accordingly, it is **ORDERED** that defendants' motion for summary judgment (Doc. 21) is **GRANTED**; all other pending motions are **DENIED as MOOT** (Docs. 32, 34 and 36); and this case is **CLOSED**.

IT IS SO ORDERED.


Chief Judge Susan J. Dlott
United States District Court