

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

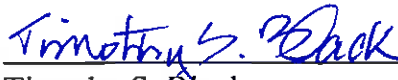
SANDY SYKES, *et al.*, : Case No. 1:10-cv-688  
: :  
Plaintiffs, : :  
vs. : Judge Timothy S. Black  
: :  
UNITED STATES OF AMERICA, *et al.*, : **ORDER**  
: :  
Defendants. :

On August 24, 2011, this Court entered an Order of Decision and Entry, dismissing Plaintiffs' claims. This Decision and Entry is a final judgment.<sup>1</sup> If Plaintiffs wish to appeal this Court's dismissal of their claims, they must do so within 30 days of August 24, 2011 by filing a Notice of Appeal with the Clerk of this Court and paying the appellate fee of \$455.00 or filing an application and affidavit to proceed without prepayment of fees. The pro se pleading of Ms. Sykes filed on 8/29/11 (Doc. 101) is moot, given this Court's dismissal of this case on 8/24/11. Moreover, the rules do not provide an opportunity for Plaintiff to file a reply to a response to a Report and Recommendation. *See* Fed. R. Civ. P. 72(b).

The Clerk is directed to provide a Notice of Appeal to the Plaintiff with this Order, as well as an application and affidavit to proceed without prepayment of fees.

**IT IS SO ORDERED.**

Date: 8/30/11

  
Timothy S. Black  
United States District Judge

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<sup>1</sup> The Clerk entered a Judgment in this case on August 24, 2011 (Doc. 100).